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Thursday, April 5, 1934- 430 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Assistant Corporation Counsel, Philip C. Cocke, Jr. The minutes of the previous meeting were read and approved.

ASHEVILLE MASTER PLUMBERS-BANQUET

A communication from the Asheville Master Plumbers, inviting the Mayor, Members of the City Council and the City Manager to a banquet in honor of the Board of Examiners for Plumbing and Heating Contractors in North Carolina and its chairman, Dr. H. G Baity on April 11th was read and on motion of Councilman Little, seconded by Councilman Miller accepted.

J. S. SUDDERTH-CLAIM

The claim of Mr. J. S. Sudderth that his property lot 224, sheet 11, ward 5 on Morris Avenue had been exempted by the City Commissioners, together with a letter from Mr. Geo Pennel, former Corporation Counsel, were presented and on motion of Councilmen Little, seconded by Councilman Baumberger, ordered referred to the Corporation Counsel for investigation and report.

ORDINANCE # 205- SECOND READING

On motion of Councilman Little, seconded by Councilman Westall, Ordinance #205, entitled An ordinance to make the calendar year the registration period for motor vehicles to fix the license taxes in accordance with the state law, and to repeal ordinances #90 and $140, relating thereto was passed on its second reading. Voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall.

ORDINANCE #204- SECOND & THIRD READING

Councilman Little moved, seconded by Councilman Crow, that Ordinance #204- entitled, An ordinance providing for application for water connections, and written permits therefor, together with provision for collection of elinquent water renatls and for installation of separate meter for each building, and minimum charge therefor, be passed on its second reading. Voting "aye" Councilman Baumberger, Crow, Little, Miller, Wamboldt, and Westall, coting "no" Councilman Boyd and Brookshire, the ordinance was declared passed on its second reading.

A motion made by Councilman Baumberger, seconded by Councilman Little, that the rules be suspended and the ordinance be placed on its third reading passed; voting "aye" Councilmen Baumberger, Crow, Little, Miller, Wamboldt and Westall, voing "no" Councilmen Boyd and Brookshire.

The motion of Councilman Boyd, seconded by Councilman Brookshire, that the ordinance beamended by eliminating all of Section 3 did not carry.

A motion was then made by Councilman Little, seconded by Councilman Westall that Ordinance #204 be passed on its third and final reading. Voting "aye" Councilmen Baumberger, Crow, Little, Miller, Wamboldt and Westall, voting "no", Councilmen Boyd and Brookshire, the ordinance was declared passed on its third reading and adopted to become effective on the 20th day of April.

ORDINANCE #204

AN ORDINANCE PROVIDING FOR APPLICATION FOR WATER CONNECTIONS, AND WRITTEN PERMITS THEREFOR, TOGETHER WITH PROVISION FOR COLLECTION OF DELINQUENT WATER RENTALS AND FOR INSTALLATION OF SEPARATE METER FOR EACH BUILDING, AND MINIMUM CHARGE THEREFOR.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That any person, firm or corporation, residing or doing business within the corporate limits of the city of Asheville, and desiringso to do, may take or use water within said city limits upon complying with the provisions prescribed or that may hereafter be adopted by the City Council of the City of Asheville with respect to the water system; but before any person, firm or corporation, shall have water connections made to any premises within the city, or be supplies with city water, they or it shall apply to the water superintendent in writing for a permit, giving the location where water connections are to be made, the uses for which water is requested, and the name of the plumber employed to install the fixtures in connection therewith, and pay in advance all charges for making connections. Such application must be made by the owner of the premises, or his duly authorized agent, and thereupon a written permit shall be issued by said superintendent specifying the uses applied for and allowed, and any extension or addition to the uses originally applied for xan only be had upon application in writing specifying the same in detail. Provided, also, the provisions of this section shall apply likewise to any person, firm or corporation, which may occupy a building or premises in which water has previously thereto been installed, whether such occupancy be as tenant or owner by purchase, or otherwise.

Section 2. It shall be the duty of the water superintendent to have all meters read and amounts due computed and statements prepared for the amount of water during each month as shown by the reading of the meter on or before the last day of each month, and that all charges for water and meter rents shall be due and payable on or before the tenth day of the calendar month following the month that the water was

consumed; and upon the failure to pay the water rent due for any month on or before the tenth day of the second succeeding month of use, it shall be the duty of the water superintendent to have the water cut off from all premises for which payment has not been made as aforesaid; provided, however, that the City Manager is hereby authorized and empowered to designate some person in the water department, who shall be placed under such bond as may be determined by the City Manager, and who shall be authorized and permitted to make collections of delinquent water rents after the date upon which the water may be cut off under the provisions of this ordinance, and, in case of collection of the water rent by such agent after such date of delinquency as aforesaid, there shall be charged an addition fee of one ($1.00) dollar for the collection by such agent of such delinquent water rental; provided, further, that in cases of where water is cut off from the building or premises, upon failure of the user to pay the water rent to the City of Asheville either directly or through said agent, it shall be the duty of the water superintendent to collect, and it shall be the duty of the user to pay to the City, a charge of one ($1.00) dollar in addition to the delinquent water rents, before said water may be turned on again vy the water department.

Section 3. Each and every house or business building in the city of Asheville shall have at least one separate meter, independent from that belongint to any other premises, and a separate cut-off shall be put in for each meter so that same may be cut off independently, and in all cases where this is done, the cut-offs aforesaid shall be in the street. It shall also be the duty of the water superintendent to compute the monthly water rent upon the basis of each meter, said computation to be independent of water which may pass through other meters in the same vicinity belonging to the same owner.

Section 4. Any person, firm or corporation, violating any of the provisions of this ordinance, shall be subject to a penalty of ten ($10.00) dollars for each and every such offense upon conviction thereof.

Section 5. Sections 1102, 1106, 1107 and 1122 of the ordinance in Pennell's Code are hereby repealed, together with all other ordinance in conflict herewith.

I move the adoption of the foregoing ordinance, this the 15th day of March, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this the 5th day of April, 1934, to become effective the 20th day of April, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL.

ORDINANCE PROVIDING FOR ADOPTION OF RULES FOR COUNCIL ORDINANCE

It was moved by Councilman Little, seconded by Councilman Baumberger, that Ordinance # , entitled An ordinance providing for adoption of rules for guidance of Council meetings and the repeal of rules formerly adopted, be placed on its second reading.

Councilman Crow moved, seconded by Councilman Westall that the Ordinance be amended by substituting "Cushing's Manual of Parliamentary Practice"for"Robert's Rules of Order, Revised," This motion on being put to a vote carried, voting "aye" Councilmen Boyd, Brookshire, Crow, Miller Wamboldt and Westall, voting "no" Councilmen Baumberger and Little.

A motion made by Councilman Little, seconded by Councilman Westall that action on an ordinance providing for adoption of rules for guidance of Council meetings and the repeal of rules formerly adopted, as amended, be deferred until the meeting two weeks from this meeting, carried unanimously.

RESOLUTION CHANGING HOUR OF COUNCIL MEETINGS

Councilman Baumberger moved, seconded by Councilman Westall and adopted, that action on A resolution changing the hour of Council meetings from 4:30 P. M. until 7:30 P. M. be postponed indefinitely.

RESOLUTION AUTHORIZING CITY MANAGER TO REGULATE SIGN BOARDS UPON PROPERTY PURCHASED BY CITY

A motion made by Councilman Miller, seconded by Councilman Westall that the action previously taked on resolution authorizing the City Manager to regulate sign board upon property purchased by the City of Asheville at tax foreclosure sales be reconsidered carried unanimously.

A resolution authorizing the City Manager to regulate sign board upon property purchased by the City of Asheville at tax foreclosure sales was on motion of Councilman Little, seconded by Councilman Brookshire adopted. Voting "aye" Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall, voting "no" Councilman Baumberger.

RESOLUTION AUTHORIZING THE CITY MANAGER TO REGULATE SIGN BOARD UPON PROPERTY PURCHASED BY THE CITY OF ASHEVILLE AT TAX FORECLOSURE SALES.

WHEREAS, the City of Asheville has purchased, as a result of tax foreclosure suits, certain real estate upon which there are now erected sign boards, leased by former owners; and,

WHEREAS, there is some question as to whether the aforementioned function falls within the powers of the legislative or the administrative arm of the government.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager is hereby authorized and empowered, in his discretion, to either permit the signs, which have heretofore been placed upon City property (before the same was purchased by the City under foreclosure sale), to remain on said property, and to collect the rentals therefrom, or to cause the signs to be removed, depending in his opinion upon whether said signs are a detriment to the appearance of the community or not.

I move the adoption of the foregoing resolution.

Joseph W. Little
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this the 5th day of April, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock

CORPORATION COUNSEL.

ORDINANCE RELATING TO OPERATION OF CARNIVALS

Councilman Little moved, seconded by Councilman Crow ~~and adopted~~, that action on ordinance relating to the operation of carnivals in the City of Asheville under the auspices of fraternal or charitable organizations be postponed indefinitely. This motion carried.

RESOLUTION TO PROVIDE DIPLOMAS FOR GRADUATING CLASSES OF CITY SCHOOLS

A resolution to provide diplomas for graduating classes of the city schools for the school term ending in 1934 was offered and on motion of Councilman Baumberger, seconded by Councilman Little action was deferred until the next regular meeting.

WACHOVIA BANK & TRUST COMPANY-SECURITY

Councilman Little read a letter from the Chase National Bank of New York, advising that $30,000 City of Winston-Salem refunding bonds had been placed to the credit of the City of Asheville to secure deposits in the Wachovia Bank and Trust Company, which was on motion of Councilman Little, seconded by Councilman Baumberger referred to the City Manager to take such action as the premise may require. This motion carried.

ZONING ORDINANCE

An ordinance to limit and regulate the construction and use of buildings and structures and to regulate theuse of land for the purposes of promoting health, safety, morals, and the general welfare of the Community was on motion of Councilman Baumberger, seconded by Councilman Miller introduced and the Clerk instructed to furnish each member of the Council with a copy.

There being no further business, the meeting, on motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, April 12, 1934- 4:30 P. M.

The meeting was called to order by Mayor Wamboldt. As there were but two members, Councilmen Baumberger and Wamboldt, present, Mayor Wamboldt declared as there was not a quorum present the Clerk was asked to get in touch with the other councilmen and request them to be present at the meeting at 7:30 tonight.

Thursday, April 12, 1934- 7:30 P. M.

The City Council met, Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager George L. Hackney and Assistant Corporation Counsel, Philip C. Cocke Jr.. The minutes of the previous meeting were read and approved.

Mr. W. Edwin Wilson on behalf of fourteen Master Plumbers, stated that the Plumbing Inspector was unable to devote all his time to inspections due to other duties assigned him and requested that an all-time plumbing inspected be appointed and he recommended that a committee of the Council be appointed to study a plumbing code which is under consideration.

It was moved by Councilman Baumberger, seconded by Councilman Crow that the request for a full-time plumbing inspector be referred to the City Manager. This motion carried.

Ordinance #205- entitled An ordinance to make the calendar year the registration period for motor vehicles to fix the license taxes in accordance with the state law, and to repeal ordinances #90 and #140, relating thereto, was on motion of Councilman Miller, seconded by Councilman Baumberger passed on its third and final reading. Voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Miller, Wamboldt and Westall, the ordinance was declared adopted to become effective the 27th day of April, 1934.

ORDINANCE #205

AN ORDINANCE TO MAKE THE CALENDAR YEAR THE REGISTRATION PERIOD FOR MOTOR VEHICLES TO FIX THE LICENSE TAXES IN ACCORDANCE WITH THE STATE LAW, AND TO REPEAL ORDINANCE #90 and #140, RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1 That every person, firm or corporation, resident within the City of Asheville, and operating a motor vehicle therein, shall pay annually, to the City of Asheville, the sum of ONE DOLLAR ($1.00) for each such motor vehicle, as a privilege tax, for the privilege of operating such motor vehicle over the streets of the City of Asheville for the calendar year extending from January 1 to December 31, and no proration shall be allowed for a portion of a year.

Section 2. That the Director of Finance be, and he is hereby authorized, directed, and empowered to designate any proper person or agency to act as the collector of such registration fees, upon giving such bond as may be required by said Director of Finance.

Section 3. That any person, firm or corporation who shall operate a motor vehicle for a period of ten (10) days or more, after the expiration of the license period as hereinbefore set forth, without having obtained a license for the calendar year for the operation of a motor vehicle as herein provided, shall, upon conviction, be subject to a penalty of FIVE DOLLARS ($5.00) for each and every such offense.

Section 4. That Ordinance #90 and #140 are hereby repealed.

I move the adoption of the foregoing ordinance, this the 29th day of March, 1934.

Jack Westall
COUNCILMAN

SECONDED BY: John E. Baumberger
COUNCILMAN

Read, approved, and adopted, this the 12th day of April, 1934, to become effective the 27th day of April, 1934.

Wickes Wamboldt
MAYOR
E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

It was moved by Councilman Baumberger that a resolution to provide diplomas for graduating classes of the city schools for the school term ending in 1934 be considered. Councilman Miller moved, seconded by Councilman Westall that action on this resolution be deferred until the next meeting. This motion carried.

A motion made by Councilman Miller, seconded by Councilman Crow, that Resolution allowing rents paid by former property owners, on property owned by them prior to foreclosure, to be applied on past due taxes be taken from the table carried unanimously.

Councilman Miller offered an amendment, which was seconded by Councilman Baumberger as follows: Amend by inserting after the comma following the word "taxes" in the 5th line the following: "and such other taxes which would have subsequently accrued to the city and/or county had not the title to the property been in the city of county" On being put to a vote this motion carried unanimously.

A motion of Councilman Miller, seconded by Councilman Westall that Resolution allowing rents paid by former property owners, on property owned by them prior to foreclosure, to be applied on past due taxes, as amended, be adopted, carried unanimously.

RESOLUTION ALLOWING RENTS PAID BY FORMER PROPERTY OWNERS ON PROPERTY OWNED BY THEM PRIOR TO FORECLOSURE, TO BE APPLIED ON PAST DUE TAXES.

WHEREAS, it appears to the City Council that the City is now owner of certain houses in the city of Asheville by virtue of tax foreclosure for non-payment of taxes, and that the former owners of these houses have been allowed to occupy same upon payment of certain rents; and,

WHEREAS, it being the policy of this Council not to acquire property from owners who have failed to pay their taxes unless that be the only way of protecting the interests of the City of Asheville; and,

WHEREAS, the former owners have been renting these houses from the City of Asheville and paying rents therefor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That all rents collected by representatives of the City of Asheville, from any buildings owned by the City, and obtained by virtue of tax sales, be paid over to the Tax Collector of the City of Asheville, to be applied on thepayment of back taxes, and such other taxes which would have subsequently accrued to the city and/or county had not the title to the property been in the City of County, with the exception that any expenses for repairs or other expenses incurred by the City in the upkeep of said property shall be deducted from the rents before same are applied on the past due taxes; provided that this resolution shall only apply to those instances where rents from the property have been paid to the City, and provided such former owner shall make application to redeem his property under the terms and conditions of this resolution and the other rules and regulations of the Council; and provided, further, that in no instance shall the City make a rebate in payment where the rents shall exceed the accrued taxes and costs as contemplated by this resolution and the rules and regulations of theCity Council concerning redemption of property; and provided, further, that the provisions of this resolution shall apply only to those persons who shall make application, together with the required cash deposit, and do the other necessary prerequisites that are necessary to obtain deed under the rules and regulations of the Council regarding same, on or before June 1, 1934.

I move the adoption of the foregoing resolution, this the 12th day of April, 1934

Ernest H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved, and adopted this the 12th day of April, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

April 18, 1934

It was moved by Councilman Baumberger, seconded by Councilman Miller, that the zoningordinance, entitled An ordinance to limit and regulate the construction and use of buildings and structures and to regulate the use of land for the purposes of promoting health, safety, morals, and the general welfare of the community be considered.

Councilman Baumberger offered a substitute ordinance, and made a motion which was seconded by Councilman Miller that the substitute ordinance be considered at the next meeting. This motion carried. Councilman Miller then made a motion, which was seconded by Councilman Westall and on being voted on carried unanimously that the first zoning ordinance lie on the table until thenext meeting.

There being no further business, the meeting, on motion, adjourend.

Mayor _____ City Clerk E. G. Thompson

Thursday, April 19, 1934- 4:30 P. M.

The City Council met in regular session; Vice Mayor Miller presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey and Jack Westall, and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

An amendment to claim for damages to real property filed by Lucile McInturff Ford, Coxe and Carter for Anne C. Wallace was presented and on motion of Councilman Crow, seconded by Councilman Rainey unanimously ordered referred to the Corporation Counsel.

NORTH CAROLINA,)
BUNCOMBE COUNTY)

ANNE C. WALLACE,)
VS) AMENDMENT TO CLAIM FOR DAMAGES TO REAL PROPERTY.
CITY OF ASHEVILLE)

TO THE HONORABLE MAYOR AND BOARD OF CITY COUNCILMEN OF THE CITY OF ASHEVILLE:

The undersigned, Anne C. Wallace, hereby amends the original claim filed on or about the 24th day of August, 1933, in the following respects: In Paragraph Five, Page Two on the original claim, Line Three, cut out the words "continuing damage", and insert in lieu thereof the words "variable and intermittent".

This the 11th day of April, 1934.

ANNE C. WALLACE,
By Lucile McInturiff
Ford, Coxe & Carter.

It was moved by Councilman Baumberger, seconded by Councilman Little that resolution to provide diplomas for graduating classes of the city schools for the scho term ending in 1934 be considered and adopted. On being put to a vote this motion di not carry.

207.

Councilman Baumberger moved seconded by Councilman Rainey, that Ordinance limit and regulate the use of buildings, structures and land for the purpose of promo ing health, safety, morals and general welfare of the community be considered. This motion carried.

Councilman Boyd moved, seconded by Councilman Rainey, that the ordinance b amended by striking out the words "kind of business or" in section 1, lines 7 and 8, section 2 lines 7 and 8, in section 3 line 7 and in section 4 line 6. This motion on being put to a vote carried unanimously.

It was then moved by Councilman Baumberger, seconded by Councilman Westall, that the ordinance be passed on its first reading. Voting "aye" Councilmen Baumberger Boyd, Brookshire, Crow, Little, Miller, Rainey and Westall, the ordinance was declare passed on its first reading.

April 19, 1934

A resolution in memory of the late Frank S. Smith was on motion of Councilman E. H. Miller, seconded by Councilman Jack Westall unanimously adopted.

A RESOLUTION IN MEMORY OF THE LATE FRANK S. SMITH

WHEREAS, the City Council has been notified of the death of Frank S. Smith, a former member of the City Council of the City of Asheville: and,

WHEREAS, the said Frank S. Smith has been for many years a prominent citizen of this community: and

WHEREAS, it is the desire of the City Council of the City of Asheville to express what it believes to be the sentiments of the entire community:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That in regular session assembled the City Council record its sincere sorrow because of the loss to this community of Frank S. Smith, a civic and business leader, and a former member of this body; and further the Council joins the many friends of the late Frank S. Smith in extending sympathy to the members of his family in their bereavement.

Be it further resolved that this resolution be spread upon the minutes, and that copies of same be forwarded to the family of the deceased and to the newspapers published in this City.

I move the adoption of the foregoing resolution.

E. H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this the 19th day of April, 1934.

MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

On motion of Councilman Plott Boyd, seconded by Councilman Joseph W. Little, a resolution authorizing the Mayor of the City of Asheville to execute a quit claim deed (Collins & Young) was unanimously adopted.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE A QUIT-CLAIM DEED

WHEREAS, Collins & Young appear to be the owners of a certain tract of land that was acquired by the City of Asheville under tax foreclosure suit for 1928 taxes, said land being Lot 101, Sheet 15, Ward 4, and sold by DeVere C. Lentz, Commissioner; and

WHEREAS, this property was sold under Certificate 1127, and later re-advertised and bid in on the 9th day of April, 1934 in the name of Collins & Young; and

WHEREAS, it appears on the records of the City of Asheville and the County of Buncombe that this property has been properly listed for the years 1928 to 1933 inclusive;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor be andhe is hereby authorized to execute a quit-claim deed to Collins & Young conveying Lot #101, Sheet 15, Ward 4, which deed is to be turned over to the Tax Collector of the City of Asheville, who will deliver the same upon payment of the amount of taxes now a lien on said property, together with all subsequent taxes thereto as may be calculated by theproper tax officials, together with costs of advertising, which amount is set forth in the deed.

I move the adoption of the foregoing resolution.

April 19, 1934

Plott Boyd
COUNCILMAN

SECONDED BY: Joseph W. Little
COUNCILMAN

Read, approved and adopted, this the 19th day of April, 1934.

MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

A resolution authorizing the Mayor to sign a quit-claim deed to H. W. Medford was on motion of Councilman Plott Boyd, seconded by Councilman Joseph W. Little, unanimously adopted.

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A QUIT-CLAIM DEED TO H. W. MEDFORD.

WHEREAS, the City of Asheville has title to a certain pieceof property foreclosed for 1927 and 1928 taxes under certificate #6597 for 1927 and certificate #1938 for 1928, being lot 18, sheet 9, ward 5; and,

WHEREAS, in 1927 and 1928 at the time the city acquired this proper by tax foreclosure it was erroneously listed; and,

WHEREAS, the property should have been listed as lot 18, sheet 9, ward 5, but it was listed lot 17, sheet 9, ward 5; and,

WHEREAS, the proper owner, H. W. Medford, has paid his taxes on lot 17, sheet 9, ward 5 and same should have been paid on lot 18, sheet 9, ward 5

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor is hereby authorized and directed to execute a quit-claim deed for lot 18, sheet 9, ward 5 to H. W. Medford and wife, Effie Medf and in said deed it shall be stipulated that all subsequent taxes for 1927 s be paid to the Tax Collector of the City of Asheville, who, when same are pa will turn said deed over to H. W. Medford and wife, Effie Medford.

I move the adoption of the foregoing resolution, this the 19th day of April, 1934.

Plott Boyd
COUNCILMAN

SECONDED BY: Joseph W. Little
COUNCILMAN

Read, approved, and adopted, this the 19th day of April, 1934.

MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL.

On motion of Councilman Joseph W. Little, seconded by Councilman Chas. F. C A resolution providing for the leasing of certain property belonging to the City of Asheville and situated on what is known as North Fork, Buncombe County, North Carolin was unanimously adopted.

April 19, 1934

A RESOLUTION PROVIDING FOR THE LEASING OF CERTAIN PROPERTY BELONGING TO THE CITY OF ASHEVILLE AND SITUATED ON WHAT IS KNOWN AS NORTH FORK, BUNCOMBE COUNTY, NORTH CAROLINA.

WHEREAS, the Black Mountain Rod and Gun Club, H. B. Wilson and G. W. Pressley have been tenants occupying property belonging to the City of Asheville for a number of year; and

WHEREAS, the said tenants have apparently occupied said property without definite arrangements as to the period of lease or amount of payments to become; and

WHEREAS, it is recommended by the City Manager and the Director of Public Welfare that leases can be made to the said tenants without jeopardizing the public welfare;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor and City Clerk be and they are hereby authorized to enter into lease agreements leasing the property heretofore occupied by the said persons and upon the terms and conditions as follows:

(a) To the Black Mountain Rod and Gun Club the building now occupied by it until midnight December 31, 1934 for a cash rental of Sixty ($60,00) Dollars.

(b) To H. B. Wilson the house and premises now occupied by him until midnight December 31, 1934 for a cash rental of Forty-five ($45.00) Dollars, and the further consideration that he keep in repair the road leading into the premises in said vicinity.

(c) To G. W. Pressley the house and barn and all land east of the City pipe line on North Fork until midnight December 31, 1934 for a cash rental of Seventy-five ($75.00) Dollars.

I move the adoption of the foregoing resolution.

Joseph W. Little
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this the 19th day of April, 1934.

MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Resolution providing for refund of certain 1929 taxes, declared by the Supreme Court of North Carolina to have been illegally levied was on motion of Councilman Jospeh W. Little, seconded by Councilman John E. Baumberger, unanimously adopted.

RESOLUTION PROVIDING FOR REFUND OF CERTAIN 1929 TAXES, DECLARED BY THE SUPREME COURT OF NORTH CAROLINA TO HAVE BEEN ILLEGALLY LEVIED

WHEREAS, The General Assembly of North Caroline, by Chapter 88 of the Private Laws of 1931, provided that the governing body of the City of Asheville was "authorized, directed, and empowered" to refund certain 1929 taxes, subject to certain conditions specified in said act, and "out of such funds as may be available"; and,

WHEREAS, it is further provided by said Act that the refunding of such taxes shall not apply to the Towns of Kenilworth, Biltmore, and South Biltmore; and,

WHEREAS, it is further prescribed by said act that the governing body of the City of Asheville shall prescribe a form to be used by individual applicants for such refund.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That it shall be the duty of the City Accountant, underthe direction of the Director of Finance, to set up on the city records a list of the persons and the amount of taxes paid by them, who have not already received refunds for such taxes in full for the territory acquired by the City of Asheville by the extension of 1929, exclusive of the Towns of Kenilworth, Biltmore, and South Biltmore; and that those persons in said territory, subject to having said taxes refunds, who did not on May 1, 1930, own the land upon which city taxes were illegally levied for the year 1929, then such person shall be entitled to a cash refund upon filing with the Director of Finance a verified application, setting forth:

(a) The lot, indicating tax map number, ward, and sheet, upon which the tax was levied in 1929 upon which he seeks refund;

(b) A statement that he did not own the sameproperty on May 1, 1930;

April 19, 1934.

(c) That he has not been refunded the taxes so paid for said year;

(d) That in any case where an application is made, it shall be necessary for the applicant, in his application, to state that he has not agreed to pay any person any commission in connection with this refund, and that he will not pay any commission to any person in connection with this refund.

2. That all persons who owned, on May 1, 1930, the same lands upon which said taxes were illegally levied for the year 1929, and who now owe taxes to the City of Asheville for subsequent years--that is, subsequent to 1929--shall be given a credit upon such subsequent taxes to the extent ofthe taxes which were illegally levied by the City of Asheville upon such property for the year 1929; and the tax collector is hereby authorized and empowered to enter upon his records such credit; provided, however, that the applicant for such credit shall file an affidavit with the tax collector, setting forth the information above required to be furnished by those seeking a cash refund, except in this instance the applicant shall show that he still owes taxes to the City of Asheville, and he did own the land on May 1, 1930, upon which the said taxes were illegally levied in 1929. And provided, further, that if such taxes, upon which credits are herein authorized to be made, are being collected by the Tax Collector for Buncombe County, then this resolution shall be construed as a request to the Board of Financial Control of Buncombe County to permit credits upon the taxes owed by such persons to the City of Asheville for years prior to 1932.

3. That the Director of Finance and the City Accountant shall make no cash refund under the provisions of this resolution until afterthe adoption of the budget for the fiscal year 1934-1935; but that the Director of Finance is instructed to include in said budget an amount estimated to be sufficient to make the necessary cash refunds, as contemplated by this resolution.

4. That before this resolution shall become effective, the City Accountant shall furnish to the City Council, through the Director of Finance, anitemized statement of the refunds which this resolution would affect.

5. This resolution shall become effective July 1, 1934.

I move the adoption of the foregoing resolution, this the 19th day of April, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: John E. Baumberger
COUNCILMAN

Read, approved, and adopted, this the 19th day of April, 1934.

MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Ordinance $206- entitled An ordinance relating to restriction of business, games and recreation to be conducted on Sundays, and to repeal Sections 811 and 812 of Pennell's Code relating thereto was presented and on motion of Councilman Jack Westall, seconded by Councilman E. H. Miller passed on its first reading. Voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Rainey and Westall.

Councilman Crow moved, seconded by Councilman Westall, that the rules be suspended, this ordinance placed on its second and third readings. Voting "aye" Councilmen Baumberger, Boyd, Crow, Little, Miller, Rainey and Westall. Councilman Brookshire voted "no". The motion carried.

It was then moved by Councilman Westall, seconded by Councilman Crow, that the ordinance be passed on its second and third readings. Voting "aye" on the second and third readings Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Rainey and Westall, the ordinance was adopted and declared to be an ordinance of the City of Asheville effective the 4th day of May, 1934.

April 19, 1934.

ORDINANCE #206

AN ORDINANCE RELATING TO RESTRICTION OF BUSINESS, GAMES AND RECREATION TO BE CONDUCTED ON SUNDAYS, AND TO REPEAL SECTIONS 811 and 812 OF PENNELL'S CODE RELATING THERETO

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

SECTION 1. It shall be unlawful for any merchant, trader, dealer, firm, corporation, partnership, person or persons, to keep open any shop or business establishment, tonsorial parlor or barber shop, in the City of Asheville on Sunday for the purpose of buying, selling or engaging in the business generally conducted in such shop, store or similar business establishment, tonsorial parloror barber shop, in the City of Asheville during week days. Provided this shall not apply to drug stores and filling stations, drug stores, cigar stores, confectionery stores, shops, stands and bakeries which shall be allowed to operate on Sunday for the sale of gas and oil, drugs, medicines, druggist sundries, cigars, tobaccos, fruits, ice, ice cream, confections, nuts, soda and mineral waters, breads, pied, cakes, newspapers, periodicals, and for no other purpose.

SECTION 2. It shall be unlawful for any person or persons within the City of Asheville to play billiards, tenpins or pool on Sunday.

SECTION 3. It shall be unlawful for any person or persons to engage in or play any game or games oroperate any place of amusement or public entertainment between the hours of 7 A. M. and 1 P. M. and 7 and 9 P. M. on Sundays in the City ofAsheville.

SECTION 4. Any firm, corporation, city official, employee, agent or other person whatsoever violating any of the provisions of any section of this ordinance, or failing, neglecting or refusing to comply with its requirements, or acting contrary to the same, where no specific penalty is hereinbefore prescribed, shall be subject to a penalty of Fifty Dollars for each and every such offense.

SECTION 5. That Sections 811 and 812 of Pennell's Code be and they are hereby repealed.

I move the adoption of the foregoing ordinance, this the 19th day of April, 1934.

Jack Westall
COUNCILMAN

SECONDED BY: E. H. Miller
COUNCILMAN

Rules suspended and immediately put upon its second and third readings and adopted and declared to be an ordinance of the City of Asheville effective the 4th day of May, 1934.

Read, approved and adopted, this the 19th day of April, 1934.

Ernest H. Miller
VICE MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

Philip C. Cocke Jr.
ASST CORPORATION COUNSEL

UNITED STATES FIDELITY & [illegible]
H. E. DAVIS

The following motion offered by Councilman Joseph W. Little, seconded by Councilman Jack Westall carried unanimously:

That the City Manager be authorized to accept a settlement from the United States Fidelity & Guaranty Company in the H. E. Davis case, after checkingthe records with W. Bowen Henderson, and with the Corporation Counsel, provided such settlement shall be for an amount of not less than $1,800.00.

RESOLUTION REQUESTING SE[illegible] SUPPORT WILCOX BILL.

A resolution requesting the two United States Senators from North Carolina to support the Wilcox Bill was on motion of Councilman Joseph W. Little, seconded by Councilman H. G. Brookshire, unanimously adopted.

April 19, 1934

A RESOLUTION REQUESTING THE TWO UNITED STATES SENATORS FROM NORTH CAROLINA TO SUPPORT THE WILCOX BILL.

WHEREAS, Representative Wilcox of Florida, has introduced a bill amending the Bankruptcy Act so as to permit municipalities to make adjustments of their indebtedness, which bill has passed the House of Representatives of the United States Congress; and,

WHEREAS, said bill hasbeen reported favorably by the proper committee of the United States Senate, and is now pending in the United States Senate, known as the Wilcox or Summers Bill; and,

WHEREAS, it is deemed by the City Council of the City of Asheville to be imperative for some provision to be made so as to adjust the indebtedness of the City of Asheville:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Honorable Robert R. Reynolds and Josiah William Bailey, United States Senators representing North Carolina, be, and they are hereby, respectfully requested to support the bill now pending in the United States Senate, constituting an amendment to the Bankruptcy Act, permitting an adjustment of indebtedness of municipalities, and known as the Wilcox or Summers Bill, and that they urge the calling up of the measure in the Senate at the earliest possible date.

I move the adoption of the foregoing resolution, this the 19th day of April, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted this the 19th day of April, 1934.

MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

A resolution agreeing upon the compensation to be paid to the City of Asheville by the Carolina Power and Light Company to meet the expenses of surfacing the rights of way of street railway lines in the City of Asheville was offered by Councilman Little, seconded by Councilman Baumberger. Councilmen Little and Baumberger spoke in favor of the resolution and there was other discussion concerning same, however no disposition was made of the resolution, because of objections upon the grounds that copies of same had not been furnished to the members of theCouncil in accordance with the rules of the Council. Further consideration of the resolution was deferred to the next meeting.

A letter from Welcome to Asheville Incorporated, suggesting that the words Welcome to Asheville be painted in an arc following the curve of the Beaucatcher Tunnel was presented.

A motion made by Councilman Boyd, seconded by Councilman Little, that the matter be referred to the Planning Commission and the City Manager with power to act, was adopted unanimously.

There being no further business, the meeting, on motion, adjourned.

Wickes Ramboldt
Mayor

E. G. Thompson
City Clerk

April 23, 1934

Monday, April 23, 1934- 12 o'clock Noon.

The City Council met in special session, Mayor Rambolt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey, Wickes Rambolt and Jack Westall, City Manager, George L. Mackney and Corporation Counsel, C. E. Blackstock.

The Clerk read a letter from the Mayor requesting that a special call meeting be held on Monday, April 23, 1934 at 12 o'clock N., also a copy of notice of special meeting published in the Asheville Citizen-Times on April 22, 1934, in accordance with the provisions of the Charter.

April 21, 1934

Mrs. E. G. Thompson
City Clerk
City of Asheville

Dear Mrs. Thompson:

Will you call a special meeting of the City Council for 12 o'clock noon, April 23, 1934 for the purpose of determining an amount to be paid by the Carolina Power and Light Company as compensation for resurfacing streets occupied by said power company's tracks. Such amount to be inserted in contract to be signed by the mayor on the Carolina Power and Light Company.

Yours very truly,
Wickes Rambolt
Mayor

WR:t

Notice of Special Meeting.

At the request of the Mayor notice is hereby given of a special meeting of the City Council of the City of Asheville to be held Monday, April 23, 1934 at 12 o'clock noon for the purpose of determining an amount to be paid by and with the Carolina Power and Light Company as compensation for resurfacing streets occupied by said power company's tracks. Such amount to be inserted in contract to be signed by the Mayor on the Carolina Power and Light Company.

This April 22, 1934.

E. G. Thompson
City Clerk

A resolution agreeing upon the compensation to be paid to the City of Asheville by the Carolina Power and Light Company to meet the expenses of surfacing the rights-of-way of street railway lines in the City of Asheville was read and discusses at some length.

Councilman Rainey moved, seconded by Councilman Westall that the resolution be amended to read: "$40,567.20 plus $1,000 for special labor, and also agrees to pay the City of Asheville said sum in cash in lieu of said company doing the work itself". On being put to a vote, Councilmen Crow, Miller Rainey, Wamboldt and Westall voted "aye" and Councilmen Baumberger, Boyd, Brookshire and Little voted "no", the amendment was declared adopted.

The resolution as amended was then offered for adoption. Voting "aye" Councilmen Crow, Little, Miller, Rainey, Wamboldt and Westall, voting "no" Councilmen Baumberger, Boyd and Brookshire, the resolution was declared adopted.

A RESOLUTION AGREEING UPON THE COMPENSATION TO BE PAID TO THE CITY OF ASHEVILLE BY THE CAROLINA POWER AND LIGHT COMPANY TO MEET THE EXPENSES OF SURFACING THE RIGHTS-OF-WAY OF STREET RAILWAY LINES IN THE CITY OF ASHEVILLE.

WHEREAS, the City Council of the City of Asheville passed an ordinance upon its final reading on March 12, 1934, which became effective on March 28, 1934, authorizing the Mayor and the City Clerk to sign a contract with the Carolina Power and Light Company for the substitution of motor bus transportation for street cars: and

WHEREAS, in said ordinance one matter was left open for future determination, namely, the amount to be paid by the company to the City to defray the costs of surfacing over the rights-of-way of the street railway; and

WHEREAS, it appears that there are now some differences between the engineers representing the company and the City as to the exact amount which shall be paid for this expense.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor and the City Clerk are instructed to sign the contract based upon the ordinance passed by the City Council on the third reading on the 12th day of March, 1934 as soon as the company shall agree to place in said contract as compensation for said surfacing of said street railway rights-of-way the amount of $40,567.20 plus $1,000 for special labor, and also agrees to pay the City of Asheville said sum in cash in lieu of said company doing the work itself, which amount is hereby determined by the Council, according to the advice of the city engineers, as the proper and necessary expenditure involved in the contemplated surfacing of the street railway rights-of-way.

I move the adoption of the foregoing resolution.

Joseph W. Little
COUNCILMAN

SECONDED BY: John E. Baumberger
COUNCILMAN

Read, approved and adopted, this the 23rd day of April, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, April 26, 1934- 4:30P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilman John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager, George L. Mackey and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

A resolution adopted by the Asheville Lodge No 1301 of the Benevolent and Protective Order of Elks heartily approving and endorsing the action of the Council of the City permitting wholesome Sunday amusements was read, also a communication from the Asheville Hotel men's Association commending the Council in passing ordinance permitting recreation on Sunday.

It was moved by Councilman Baumberger, seconded by Councilman Miller, Ordinance Ordinance to limit and regulate the use of buildings, structures and land for the purpose of promoting health, safety, morals and general welfare of the Community be passed on its second reading.

The following amendments were offered by Councilman Baumberger, seconded by Councilman Little, voted on and unanimously adopted:

Amend Section 1 by striking out the words "white corporation ", and insert in lieu thereof the following:
"or corporation whose controlling stock is owned by white persons".

Amend Section 2 by striking out the words "colored corporation " and insert in lieu thereof the following:
"or corporation whose controlling stock is owned by colored persons."

Amend Section 3 by striking out the words "white corporation" and insert in lieu thereof thefollowing:
"or corporation whose controlling stock isowned by white persons."
"

In lieu of Section 4.
Sec. 4. No colored person, or firm of colored persons, or association of colored persons or corporation, the majority voting stock of which is owned by colored persons, shall use, or permit any other colored person, or such colored firm, or colored association

April 26, 1934.

or corporation whose controlling stock is owned by colored persons, to use it property for the purpose of a residence, or place of living or dwelling, or to personally conduct or use colored persons to supervise any institution thereon, when such property constitutes a part of the majority portion of all the property within any one block or between street intersections, fronting or abutting on the sameside of a street which is occupied and used for the purposes set forth herein by white persons at the time of the effective date of this ordinance.

Amend by adding a new section following Section 4, reading as follows:

"Section 4A. Should the occupancy or usage of property, for the purposes above set forth, at the time of the effective date of this ordinance, obtain any one block or between intersections, fronting or abutting on the same side of a street, be equal as between white persons and colored persons, and thereby being a majority portion as above defined, then in such event, the occupancy or usage to which it is thereafter first changed, from white persons to colored persons, or from colored persons to white persons, shall determine accordingly which race shall constitute the majority portion of theusage, on such side of a street, from the date of such change occurs, for the purposes set forth in this ordinance."

Ordinance # 207, as amended, was then offered on its second reading by the following voting for its passage Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Rainey, Wamboldt and Westall

On motion of Councilman Joseph W. Little, seconded by Councilman H. G. Crow, Resolution striking out paragraph four contained in a resolution adopted Thursday, April 19, 1934, relative to the refund of taxes paid by citizens on property in the territory taken in the City of Asheville by the extension of boundary line, 1929. was unanimously adopted.

RESOLUTION STRIKING OUT PARAGRAPH "FOUR" CONTAINED IN RESOLUTION ADOPTED THURSDAY, APRIL 19, 1934, RELATIVE TO THE REFUND OF TAXES PAID BY CITIZENS ON PROPERTY IN THE TERRITORY TAKEN IN THE CITY OF ASHEVILLE BY THE EXTENSION OF BOUNDARY LINE, 1929

WHEREAS, on April 19, 1934, the City Councilmen passed a resolution providing for the refund of 1929 taxes paid by owners of property taken into the City of Asheville by the extension of the boundary line, July, 1929:

AND WHEREAS, in said Resolution Item Four of the requirements of the applicants for refund provided that the applicant should make an affidavit thatie has not paid or agreed to pay any commission or fees for the collection of said taxes, and that it was not the intention to incorporate said paragraph in said Resolution:

NOW, THEREFORE, be it resolved by the City Councilmen of the City of Asheville that said Paragraph of said requirement in said Resolution be and the same is hereby rescinded and ordered expunged from the Resolution.

This Resolution shall become effective as of July 1, 1929.

I move the adoption of the foregoing resolution, this the 19th day of April, 1934.

Joseph W. Little
COUNCILMAN

SECONDED: H. G. Crow
COUNCILMAN

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Read, approved and adopted, this the 19th day of April, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

PUBLIC UTILITIES COMMITTEE REPORT

Councilman Plott Boyd, Chairman of the Public Utilities Committee submitted a report of a study made of rates charged for electric power in the City of Asheville by the Carolina Power and Light Company, as compared with the rates prescribed for municipalities in the Tennessee Valley that purchase power from the Tennessee Valley Authority.

A motion made by Councilman Rainey, seconded by Councilman Westall, that the report be received as information, each Councilman to be furnished with a copy and Councilman Boyd be commended on the excellent report, carried unanimously.

April 26, 1934

A report of the annual convention of North Carolina Municipal Association held at the Carolina Hotel, Pinehurst, April, 1934 was submitted by Mayor Wamboldt and read by the Clerk.

Councilman Miller moved, seconded by Councilman Westall, that the report be received as information and the representative of the City be thanked. This motion carried unanimously.

A report submitted by Miss E. Grace Miller, Director of Relief, on the C. W. A. projects was submitted as information.

On motion of Councilman E. H. Miller, seconded by Councilman Jack Westall, A resolution electing to receive from Carolina Power and Light Company a certain sum of money in lieu of requiring said Company to cover its tracks on paved streets within the City of Asheville, in accordance with provisions of contract entered into between City and Company was unanimously adopted.

A RESOLUTION ELECTING TO RECEIVE FROM CAROLINA POWER AND LIGHT COMPANY A CERTAIN SUM OF MONEY IN LIEU OF REQUIRING SAID COMPANY TO COVER ITS TRACKS ON PAVED STREETS WITHIN THE CITY OF ASHEVILLE, IN ACCORDANCE WITH PROVISIONS OF CONTRACT ENTERED INTO BETWEEN CITY AND COMPANY.

WHEREAS, the City of Asheville, by virtue of an ordinance passed by the City Council of the City of Asheville upon its final reading on March 12, 1934, has entered into a written contract with Carolina Power and Light Company, providing for the substitution of motor buses for street railway cars within said City, and it is provided in Section III of said contract that the City has the privilege of electing to receive from said Carolina Power and Light Company the sum of $41,567.20 in lieu of requiring Carolina Power and Light Company to surface and cover its street railway tracks now existing on paved streets within the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That, under the provisions of Section III of that contact entered into between the City of Asheville and Carolina Power and Light Company pursuant to an ordinance passed upon its final reading on March 12, 1934, the City of Asheville elects to receive from said Carolina Power and Light Company the sum of $41,567.20 in lieu of requiring the said Carolina Power and Light Company to surface and cover its street railway tracks now existing on paved streets within the City; and the Mayor is instructed to immediately notify the said Carolina Power and Light Company of this election, and to demand of the said Company that the sum of $41,567.20 be paid to the City, in accordance with the provisions of said Section III of said contract.

I move the adoption of the foregoing resolution.

E. H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this the 26th day of April, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
E. G. Thompson
CORPORATION COUNSEL

Mr. Hackney reported that the parkway situated in the middle of Griffing Boulevard had been tendered to the City as a city park; that the Grove Estate had agreed to give the City a quit-claim deed for any title or interest they had in the property, and that he had made investigations and recommended that the City accept this property as a gift and that it be established as one of the city parks.

Councilman Miller moved, seconded by Councilman Westall, that action on this matter be deferred. This motion carried unanimously

Dr. R. F. Campbell, representing the Asheville Ministerial Association, appeared before the Council and spoke in opposition to the ordinance passed at the last meeting, allowing amusements on Sundays, and suggested that a friendly suit be instituted for an authoritative decision by the Supreme Court of the legality of the ordinance. At the conclusion of his remarks, Councilman Crow moved, seconded by Councilman Miller that Dr. Campbell be given a vote of thanks for the very fair and able manner in which he handled the case. This motion carried unanimously.

April 26, 1934

Mrs. Hortense Patterson spoke in favor of the ordinance and requested that the Pack Memorial Library be opened on Sundays for the benefit of anyone who might desire to use the library.

Mr. J. Will Pless, Attorney, expressed his opinion that the ordinance was legal and commended the Council. Mrs. Charles M. Platt, also spoke in favor of the ordinance and commended the Council for its action. Miss Fannie McCoy expressed her opposition to the ordinance.

Councilman Little reported he had prepared an interesting brief on Sunday laws and invited the members of the Council and others interested, to come to his office and read it.

There being no further business, the meeting, on motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, May 3, 1934 - 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G.Brookshire, Charles M. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous session were read and approved.

GRIFFING BOULEVARD PARK.

Dr. A. C. Raysor, on behalf of property owners and citizens in the Kimberly Heights section, asked that the City take over and maintain the parkway situated in the middle of Griffing Boulevard, as a city park.

A motion made by Councilman Westall, seconded by Councilman Miller, that action on the proposition of accepting a strip of land on Griffing Boulevard for park be reconsidered carried, unanimously and Councilman Westall made a motion, which was seconded by Councilman Miller that the recommendation of the City Manager that the City accept this property as a gift and that it be established as one of the city parks, be adopted. This motion carried.

SOUTH FRENCH BROAD AVENUE.

Mr. C. H. Gudger, representing residents in the vicinity of South French Broad Avenue, and Mr. H. W. Kindler on behalf of the First Lutheran Church, asked that some action be taken in regard to the colored school proposed to be built on South French Broad Avenue.

A motion was made by Councilman Brookshire, which was seconded by Councilman Miller and unanimously adopted, that the Council give the residents in this vicinity the assurance that they will do everything possible to give them relief.

ORDINANCE #207- ADOPTED

On motion of Councilman Baumberger, seconded by Councilman Miller, Ordinance #207, entitled An Ordinance to Limit the Use of Buildings, Structures and Land for the Purpose of Promoting Health, Safety, Morals and General Welfare of the Community was passed on its third and final reading. Voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Rainey, Wamboldt and Westall, the ordinance was declared adopted to become effective on the 21st day of May, 1934.

ORDINANCE #207

AN ORDINANCE TO LIMIT AND REGULATE THE USE OF BUILDINGS, STRUCTURES AND LAND FOR THE PURPOSE OF PROMOTING HEALTH, SAFETY, MORALS AND GENERAL WELFARE OF THE COMMUNITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

SECTION 1.

No white person, or firm of white persons, or association of white persons, or corporation, the majority voting stock of which is owned by white persons, shall use any property which was not owned, or under contract to purchase by such person, firm, corporation or association at the time of the effective date of this ordinance, for the purpose of a residence, or place of living or rooming, or to personally conduct or use white persons to supervise any institution thereon, when such property constitutes a part of the majority portion of all the improved property fronting or abutting on the same side of a street within any one block or between street intersections, which is occupied and used for the purposes set forth above by colored persons at the time of the effective date of this ordinance, and neither shall any person, firm, corporation or association rent, lease or otherwise permit a white person, or such white firm, or corporation whose controlling stock is owned by white persons, or white association, to become the tenant of such property.

SECTION 2

No colored person, or firm of colored persons, or association of colored persons, or corporation, the majority voting sotck of which is owned by colored persons, shall use any property, which was not owned, or under contract to purchase, by such person, firm, corporation or association at the timeof the effective date of this ordinance, for the purpose of a residence, or place of living or rooming, or to personally conduct or use colored persons to supervise any institution thereon, when such property shall constitute a part of the majority portion of all the improved property fronting or abutting on the same side of a street within any one block or between street intersections, which is occupied and used for the purposes set forth above by white persons at the time of the effective date of this ordinance, and neither shall any person, firm, corporation or association rent, lease ot otherwise permit a colored person, or such colored firm, or corporation whose controlling stock is owned by colored persons, or colored association, to become a tenant of such property.

SECTION 3.

No white person, or firm of white persons, or association of white persons, or corporation, the majority voting stock of which is owned by white persons, shall use or permit to be used or permit any other white person or such white firm white association or corporation whose controlling stock is owned by white persons, to use its property for the purpose of a residence, or place of living or rooming, or to personally conduct or use white persons to supervise any institution thereon, when such property constitutes a part of the majority portion of the improved property within any one block or between street intersections, fronting or abutting on the same side of a street, the majority of which is occupied and used for the purposes set forth herein by colored people at the time of the effective date of this ordinance.

SECTION 4.

No colored person, or firm of colored persons, or association of colored persons, or corporation, the majority voting stock of which is owned by colored persons shall use, or permit any other colored person, or such colored firm, or colored association, or corporation whose controlling stock is owned by colored persons, to use its property for the purpose of a residence, or place of living or rooming, or to personally conduct or use colored persons to supervise any institution thereon, when such property constitutes a part of the majority portion of all the property within any one block or between street intersections, fronting or abutting on the same side of a street which is occupied and used for the purposes set forth herein by white persons at the time of the effective date of this ordinance.

SECTION 5.

Should the occupancy or usage of premises, for the purposes above set forth, at the time of the effective date of this ordinance, within any one block or between intersections, fronting or abutting on the same side of a street, be equal as between white persons and colored persons, and thereby being no majority portion as above defined, then in such event, the occupancy or usage to which it is thereafter first changed, from white persons to colored persons, or from colored persons to white persons, shall determine accordingly which race shall constitute the majority portion of the block, on such side of a street, from the date of such change of occupancy, for the purposes set forth in this ordinance.

SECTION 6.

Should any person, firm, association, or corporation, whose property constitutes a part of the minority portion used, or permitted to be used, as above set forth, at the time of the effective date of this ordinance, by a certain race of people, permit such property to be used or occupied by people of the opposite race, then such property shall, for future purposes, become and constitute a part of the majority portion as above set forth, the same as if it had constituted a part of the majority portion at the time of the effective date of this ordinance. That is, the owner shall not use, or permit to be used, any property constituting a majority portion of the property on one side of the same street in any one block for minority usage, as hereinbefore set forth. However, that portion of the property in any one block on one side of the same street which is in minority usage as hereinbefore set forth may continue to be so used by the owner or tenants, or it may be permitted to be used and employed in the majority usage on the same side of the street in such block, subject to the provision of this section.

SECTION 7.

For the purposes of this ordinance the word property is defined to mean a lot or parcel of improved land under one sole undivided ownership, separate from that of any adjoining lot or lots.

SECTION 8

The occupancy of a [illegible] ing quarters shall not constitute [illegible] ordinance.

SECTION 9.

Accessory [illegible] such as servant's quarters, [illegible] provided such inhabitant is an employee of the owner, [illegible].

SECTION 10.

Should any section or provision of this [illegible] be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, [illegible] unconstitutional or invalid.

SECTION 11.

Any person, firm, association, or corporation violating any provision of this ordinance shall be subject to a penalty of Ten Dollars per day [illegible]. Each day's violation of any provision of this ordinance shall be a separate offense.

SECTION 12.

Upon its final passage this ordinance shall be published in the newspaper published in the City and shall become effective from its publication.

I move the adoption of the foregoing ordinance, this the [illegible] April, 1934.

John [illegible]
ALDERMAN

Second: John Westall
ALDERMAN

Read, approved and adopted, this the 2nd day of May, 1934, to become effective the 21st day of May, 1934.

Mickey Wemboldt
Mayor

F. L. Thompson
City Clerk

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

KING [illegible] WALK
[illegible]

A communication was read from E. Ray Carter, requesting that the City of Asheville, on behalf of Messrs. C. E. and C. I. Carter, for a walk purpose a [illegible] piece, parcel or lot of land on the north margin of King Street, and a motion made by Councilman Rainey, seconded by Councilman Crow, that this land be accepted provided it is conveyed in fee simple carried unanimously.

ORDINANCE #208- ADOPTED

Ordinance #08- entitled An ordinance providing for the change of name of Aylmar Avenue to Swannanoa Avenue, and for amending Ordinance #154 in said respect, was on motion of Councilman John E. Baumberger, seconded by Councilman Jack Westall, passed on its first reading. Voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Rainey, Wemboldt and Westall.

Councilman Baumberger moved, seconded by Councilman Miller, that the rules be suspended and the ordinance immediately put upon its second and third readings. On being put to a vote the motion passed, all the Councilmen voted to suspend the rules.

On motion of Councilman Miller, seconded by Councilman Rainey, Ordinance #208 was placed on its second reading and voted on and unanimously passed on its second reading.

Councilman Miller moved that Ordinance #208 be passed on its third and final reading, this motion was seconded by Councilman Rainey, voted on and passed on its third reading; all the Councilmen voting in the affirmative, to become effective according to statute, on the 21st day of May, 1934.

May 3, 1934

ORDINANCE #208

AN ORDINANCE PROVIDING FOR THE CHANGE OF NAME OF AYLMER AVENUE TO SWANNANOA AVENUE, AND FOR AMENDING ORDINANCE #153, IN SAID RESPECT.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION 1.

That the name of Aylmer Avenue, extending from Haywood Road to State Street, be and the same is hereby changed to its original name, namely, Swannanoa Avenue.

SECTION 2.

This ordinance shall be in force and effect from and after fifteen days following the date of its publication, and after passage as required by law.

I move the adoption of the foregoing ordinance, this the 3rd day of May, 1934.

John E. Baumberger
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Read, approved and adopted, this the 3rd day of May, 1934. Rules suspended and immediately put upon its second and third readings and adopted and declared to be an ordinance of the City of Asheville, effective according to statute, 21st day of May, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

Resolution authorizing the Mayor and City Clerk to sign contract for the improvement of Merrimon Avenue from King Street to Broadway, City of Asheville, and for other purposes was on motion of Councilman Chas. F. Crow, seconded by Councilman Jack Westall, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN CONTRACT FOR THE IMPROVEMENT OF MERRIMON AVENUE FROM KING STREET TO BROADWAY, CITY OF ASHEVILLE, AND FOR OTHER PURPOSES.

WHEREAS, That improvement designated by the State Highway and Public Works Commission as Project #9063, is considered to be the most necessary improvement in the highway system in the corporate limits of the said municipality, for the promotion of public safety and convenience;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the above Project #9063 be and is hereby formally approved by the City Council of the said municipality, and that the Mayor and Clerk of the said municipality be and are hereby empowered to sign and execute the required agreements between the said municipality and the State Highway and Public Works Commission.

I move the adoption of the foregoing resolution.

Chas. F. Crow
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this the 3rd day of May, 1934

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

I, E. G. Thompson, Clerk of the municipality of Asheville, do certify that the above is a true copy from the Minutes of said municipality. Witness my hand and seal this the _____day of _____, 1934.

Clerk, Municipality of
Asheville

May 3, 1934

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN CONTRACT FOR THE IMPROVEMENT OF BROADWAY FROM PACK SQUARE TO MERRIMON AVENUE

Resolution authorizing the Mayor and City Clerk to sign contract for the improvement of Broadway from Pack Square to Merrimon Avenue, City of Asheville, and for other purposes, was on motion of Councilman Chas. F. Crow, seconded by Councilman Jack Westall, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN CONTRACT FOR THE IMPROVEMENT OF BROADWAY FROM PACK SQUARE TO MERRIMON AVENUE, CITY OF ASHEVILLE, AND FOR OTHER PURPOSES.

WHEREAS, That improvement designated by the State Highway and Public Works Commission as Project #9064, is considered to be the most necessary improvement in the highway system in the corporate limits of the said municipality, for the promotion of public safety and convenience;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the above Project #9064 be and is hereby formally approved by the City Council of the said municipality, and that the Mayor and Clerk of the said municipality be and are hereby empowered to sign and execute the required agreements between the said municipality and the State Highway and Public Works Commission.

I move theadoption of the foregoing resolution.

Chas. F. Crow
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this the 3rd day of May, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

I, E. G. Thompson, Clerk of the municipality of Asheville, do certify that the above is atrue copy from the Minutes of the said municipality.
Witness my hand and seal this the _____day of May, 1934.

Clerk, Municipality of
Asheville.

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN CONTRACT FOR THE IMPROVEMENT OF BILTMORE AVENUE TO SOUTHSIDE AVENUE

Res olution authorizing the Mayor and City Clerk to sign contract for the improvement of Biltmore Avenue to Southside Avenue, City of Asheville, and forother purposes, was on motion of Councilman Chas. F. Crow, seconded by Councilman Jack Westall, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN CONTRACT FOR THE IMPROVEMENT OF BILTMORE AVENUE TO SOUTHSIDE AVENUE, CITY OF ASHEVILLE, AND FOR OTHER PURPOSES.

WHEREAS, That improvement designated by the State Highway and Public Works Commission as Project #9065, is considered to be themost necessary improvement in the highway system in the corporate limits of the said municipality, for the promotion of public safety and convenience;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the above Project #9065 be and is hereby formally approved by the City Council of the said municipality, and that the Mayor and Clerk of the said municipality be and are hereby empowered to sign and execute the required agreements between the said municipality and the State Highway and Public Works Commission.

I move the adoption of the foregoing resolution.

Chas. F. Crow
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

May 3, 1934

Read, approved and adopted, this the 3rd day of May, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

W. L. Blackstock
CORPORATION COUNSEL

I, E. G. Thompson, Clerk of the municipality of Asheville, do certify that the above is a true copy from the Minutes of said municipality. Witness my hand and seal of the ____ day of May, 1934.

Clerk, Municipality of Asheville.

Councilman Westall on behalf of the Committee from the Thirtieth Division, requested that the City send a member of the Council to Washington with delegates from the County to secure the Marine Band and some nationally known men to attend the Thirtieth Division Reunion in Asheville next September. A motion made by Councilman Little, seconded by Councilman Westall that the request be granted, carried unanimously.

City Manager, Geo. D. Hackney presented a report of his investigation of the changes in the plumbing ordinance adopted in November, 1931 requested by the Masters Plumbers Association. Mr. V. G. Moser, representing the Masters Plumbers Association, explained the changes contemplated would bring the present ordinance up to date to comply with the State law.

Councilman Little moved, seconded by Councilman Westall, that theCity Manager be instructed to secure information from Durham, Winston-Salem, High Point, Mount Airy, Statesville and other cities outside the state concerning plubming regulations and report back to the Council. This motion carried.

A motion made by Councilman Miller, seconded by Councilman Westall, that the Taxi ordinance be taken off the table for consideration carried unanimously. Councilman Miller then moved, seconded by Councilman Little that An ordinance providing for qualifications as conditions precedent for licensing bus and taxi-cab drivers; the proper maintenance of busses and taxi-cabs; and authority to the City Manager to regulate certain motor vehicle traffic be passed on its first reading.

Councilman Little moved, seconded by Councilman Miller, that the ordinance be amended as follows:

Add after the word "to" in line 5 section 1 the word "furnish" and substitute (1) Satisfactory evidence of good health; (2) Satisfactory knowledge of traffic laws; (3) Satisfactory evidence of goodcharacter.

In sert a new clause at the beginning of section 5 as follows: "Subject to the approval of Council to be first obtained"

This motion carried.

A motion of Councilman Westall, seconded by Councilman Baumberger that Section 2 of the ordinance be amended to read "salary not to exceed $100 per month and in no case to exceed inspection fees collected under this ordinance", carried.

The ordinance as amended was voted on its first reading, voting "aye" Councilmen Crow, Little, Miller, Rainey and Westall, voting "no" Councilmen Baumberger, Boyd, Brookshireand Wamboldt, the ordinance was declared passed on its first reading.

There being no furtherbusiness, the meeting, on motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

May 10, 1934

Thursday, May 10, 1934- 4:00 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, James F. Little, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager, George Hackney and Assistant Corporation Counsel, Philip C. Coxe Jr.

The minutes of the previous meeting were read and approved with the following correction:

Have the minutes show that Ordinance #208 was voted on and passed on its third reading.

[illegible]

An application from Clyde F. Flemming, trading as Blue Ridge Coach Lines for permit to operate public service vehicles or motor coaches over routes set forth in permit and to charge the fares set forth in a schedule of tariff was presented to the Council.

Councilman Miller moved, seconded by Councilman [illegible] that the application be referred to the Corporation Counsel and to the City Manager for investigation and recommendations to the City Council. This motion carried unanimously.

[illegible]

A communication was read from the Asheville Planning and Zoning Commission recommending that the Campbell property on Hill Street be obtained by the city and used for parking purposes for the people, which was on motion of Councilman Little, seconded by Councilman [illegible] referred to the Committee composed of Councilmen Baumberger and Rainey and the City Manager.

[illegible]

A petition from R. E. Workman, owner of ten advertising structures in the City, that he be relieved from posting the bond required by the city ordinance was presented. In consideration of his petition, and that the Council allow him to keep the said signs on the reletively small number of sign structures involved, [illegible] Councilman Miller, seconded by Councilman Baumberger and [illegible] for opinion and report.

[illegible]

Mr. N. L. Maddox, representing Dr. Owens, [illegible] U. S. Commerce, asked that permission be granted Dr. Owens to speak on Pack Square.

Councilman Miller moved, seconded by Councilman Rainey that this matter be referred to the City Manager. This motion carried.

[illegible]

A motion made by Councilman Baumberger, seconded by Councilman Boyd, that the Mayor designate some member of the Council to go to Washington to make arrangements for the Thirtieth Division Convention to be held in Asheville in September, carried unanimously.

Mayor Wamboldt appointed Councilman Rainey to carry out the commission for the City Council and the Thirtieth Division.

[illegible]

Mrs. W. H. Blauvelt asked the Council to give water free to the Community House on View Street.

Councilman Boyd moved, seconded by Councilman Westall, that the matter be referred to the City Manager. An amendment offered by Councilman Little, seconded by Councilman Baumberger, that Mr. Hackney be given the power to do whatever circumstances dictate to him, carried unanimously.

[illegible]

Councilman Little moved, seconded by Councilman Westall that Ordinance #209- entitled An Ordinance providing for qualitications as conditions precedent for licensing bus and taxi-cab drivers; the proper maintenance of busses and taxi-cabs; and authority to the City Manager to regulate certain motor vehicle traffic be passed on its second reading.

This motion being put to a vote: Councilmen Crow, Little, Miller Rainey and Westall voted "aye", Councilmen Baumberger, Boyd, Brookshire and Wamboldt voted "no", the ordinance was declared passed on its second reading.

May 10, 1934

Councilman Baumberger read a plan to obtain an adjustment of the City-County debt within the ability of the people to pay, and permit the Community to enjoy a growth which its natural assets assure when unhampered, for the consideration of the Council.

He offered the following plan or policy:

"Do not levy any more tax for bond holders, or debt service as it is commonly called, until an agreement is reached which is within the ability of the people to pay and leaving sufficient margin, as above set forth, And that the ratification of such an agreement be left to the vote of the people".

The request of Mrs. Rebecca Fagan for permission to repair a roof on her property corner of Davidson and Eagles streets, also request that the City deed back ten feet taken for the widening of Davidson Street, which improvement was never made, was on motion of Councilman Crow, seconded by Councilman Rainey unanimously ordered referred to the Corporation Counsel and the City Manager for report at the next meeting.

Councilman Rainey suggested that some action be taken in securing and designating vacant lots to be used by children for playgrounds. The request was referred to Councilman Baumberger and the City Manager to make a report.

It was moved by Councilman Baumberger, seconded by Councilman Miller, voted on and carried that Councilman Boyd and Corporation Counsel Blackstock represent the City of Asheville at the hearing of the State Utilities Commission on telephone rates, to be held in Raleigh, May 17, 1934.

Mr. Rainey read a very interesting report made by Mr. R. L. Maynard of the Convention of the American Public Welfare Association he attended in Knowville as a representative of the City.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, May 17, 1934- 4:30 P. M.

The City Council met in regular session, Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney & Philip C. Coxe, Jr., Assistant Corporation Counsel. The minutes of the previous meeting were read and approved.

C. E. BLACKSTOCK--RESIGNATION

The resignation of Mr. C. E. Blackstock as Corporation Counsel of the City of Asheville, effective May 15, 1934 was presented.

Councilman Little moved, seconded by Councilman Miller, that the resignation of the Corporation Counsel be accepted. This motion carried unanimously.

May 14, 1934

To the Honorable Mayor
and City Council,
Asheville, N. C.

Gentlemen:

Owing to the fact that I am about to enter actively into a political campaign which will require my full time for the next three weeks, I deem it proper to submit my resignation as Corporation Counsel effective May 15, 1934.

Yours very truly,
C. E. Blackstock
Corporation Counsel

CEB/S

May 17, 1934

EAST PUB E [illegible]

Mr. George H. Wright, Attorney, appearing for Henry W. George, Harold Palagano, John S. Harris, Henry Hart, William C. O'Keeffe and Fred P. Hayward, filed formal claim and demand upon the City of Asheville and the City Council thereof, for payment of past due bonds and interest.

No action taken.

NORTH CAROLINA,
BUNCOMBE COUNTY.

N O T I C E

TO THE HONORABLE, THE MAYOR AND CHIEF OFFICER OF THE CITY OF ASHEVILLE, TO THE GOVERNING BOARD OR THE CITY COUNCIL OF THE CITY OF ASHEVILLE, AND TO ALL LAWFUL AUTHORITIES OF SAID CITY:

All and each of you will take notice that the undersigned Henry W. George, Harold Palagano, John S. Harris, Henry Hart, William C. O'Keeffe and Fred P. Hayward are the owners and holders as joint tenants and not as tenants in common of and entitled to immediate payment of the bonds and coupons of the City of Asheville, with interest thereon, as set out in schedule of same hereunto annexed, marked Exhibit A, and made a part hereof. The undersigned hereby make claim and demand upon said City of Asheville and the City Council thereof, and upon all the lawful authorities of said City for payment of each and all of said bonds and coupons with interest thereon as set out in said Exhibit A; and the undersigned hereby present each and all of said claims to the lawful City authorities to be audited, allowed and paid pursuant to statute; and hereby present said claims in writing to the Governing Board and City Council, and to the Mayor of said City as Chief Officer thereof, and make demand upon each and all of the persons and bodies to whom this notice is addressed for the audit, allowance and payment of each and all of said bonds and coupons or claims as set out and described in said Exhibit A.

This the 17th day of May, 1934

Henry W. George
Fred P. Hayward
Henry Hart
John S. Harris
William C. O'Keeffe
Harold Palagano

BONDS

Dated	Purpose	Amount	Rate %	Numbers	Maturity
4/1/02	School	$10,000	5	1-10	4/1/32
1/1/04	Refunding	35,000	4 1/2	1-22,24-26,28,29 31,32,34-38.40	1/1/34
7/1/16	Refunding	3,000	5	43-45	7/1/31
7/1/16	Refunding	3,000	5	46-48	7/1/32
7/1/16	Refunding	3,000	5	49-51	7/1/33
3/1/17	Street	1,000	5	27	3/1/32
2/1/18	Street	7,000	5 1/2	85-91	2/1/32
2/1/18	Street	7,000	5 1/2	92-98	3/1/33
7/1/18	Refunding	2,000	5 1/4	25, 26	7/1/31
7/1/18	Refunding	2,000	5 1/4	27, 28	7/1/32
7/1/18	Refunding	2,000	5 1/4	29, 30	7/1/33
7/1/19	School	6,000	5	67- 72	7/1/31
7/1/19	School	6,000	5	73- 78	7/1/32
2/1/20	School	6,000	5	79- 84	7/1/33
2/1/20	Water	10,000	5 1/4	61- 70	2/1/32
1/1/21	Water	10,000	5 1/4	71- 80	2/1/33
1/1/21	Street	14,000	6	116,118-130	1/1/32
1/1/21	Street	15,000	6	131-145	1/1/33
6/1/21	Street	15,000	6	146-160	1/1/34
6/1/21	Street	8,000	6	37-39, 41-45	6/1/31
6/1/21	Street	9,000	6	46-54	6/1/32
6/1/21	Water	9,000	6	55-63	6/1/33
6/1/21	Water	1,000	6	9	6/1/32
6/1/21	Sewer	1,000	6	10	6/1/33
6/1/21	Sewer	1,000	6	10	6/1/32
6/1/21	Refunding	1,000	6	11	6/1/33
6/1/21	Refunding	1,000	6	10	6/1/31
6/1/21	Refunding	1,000	6	11	6/1/32
6/1/21	School	1,000	6	12	6/1/33
6/1/21	School	20,000	6	81-100	6/1/31
	School	20,000	6	101-120	6/1/32
		19,000	6	121-128, 130-140	6/1/33

May 17, 1934

Dated	Purpose	Amount	Rate %	Numbers	Maturity
6/1/21	Funding	9,000	6	54-62	6/1/31
2/1/22	Street Imp.	10,000	5 1/4	81-90	2/1/32
2/1/22	Street Imp.	10,000	5 1/4	91-100	2/1/33
2/1/22	Pub. Imp.	4,000	5 1/4	33-36	2/1/32
2/1/22	Pub. Imp.	4,000	5 1/4	37-40	2/1/33
2/1/22	Refunding	4,000	5 1/4	33-36	2/1/32
2/1/22	Refunding	6,000	5 1/4	37-42	2/1/33
9/1/22	Street Imp.	8,000	4 3/4	57-64	9/1/31
9/1/22	Street Imp.	7,000	4 3/4	65-69, 71, 72	9/1/32
9/1/22	Street Imp.	8,000	4 3/4	73-80	9/1/33
9/1/22	Pub. Imp.	4,000	4 3/4	29-32	9/1/31
9/1/22	Pub. Imp.	4,000	4 3/4	33-36	9/1/32
9/1/22	Pub. Imp.	4,000	4 3/4	37-40	9/1/33
6/1/23	Street Imp.	12,000	5 1/4	193,194,200-204 210-214	6/1/31
6/1/23	Street Imp.	27,000	5 1/4	227-233,237-256	6/1/32
6/1/23	Street Imp.	15,000	5 1/4	257-269,287,288	6/1/33
6/1/23	Pub. Imp.	1,000	5 1/4	37	6/1/31
6/1/23	Pub. Imp.	3,000	5 1/4	46-48	6/1/32
6/1/23	Pub. Imp.	2,000	5 1/4	50, 51	6/1/33
5/1/24	Street Imp.	20,000	5	121-140	5/1/31
5/1/24	Street Imp.	20,000	5	141-160	5/1/32
5/1/24	Street Imp.	20,000	5	161-180	5/1/33
5/1/24	Pub. Imp.	8,000	5	49-56	5/1/31
5/1/24	Pub. Imp.	8,000	5	57-64	5/1/32
5/1/24	Pub. Imp.	8,000	5	65-72	5/1/33
11/1/24	Water	8,000	4 3/4	41-48	11/1/31
11/1/24	Water	10,000	4 3/4	59-68	11/1/33
11/1/24	Street Imp.	20,000	4 3/4	181-200	11/1/31
11/1/24	Street Imp.	30,000	4 3/4	211-240	11/1/32
11/1/24	Street Imp.	25,000	4 3/4	241-265	11/1/33
4/1/25	Refunding	10,000	4 3/4	37-46	4/1/32
4/1/25	Refunding	12,000	4 3/4	49-60	4/1/33
4/1/25	School	15,000	4 3/4	41-55	4/1/32
4/1/25	School	9,000	4 3/4	56-58, 65-70	4/1/33
4/1/25	Public Bldg.	10,000	4 3/4	41-50	4/1/33
4/1/25	Street	10,000	4 3/4	41-50	4/1/32
4/1/25	Street	10,000	4 3/4	51-60	4/1/33
9/1/26	Water	8,000	4 3/4	17-24	9/1/31
9/1/26	Water	8,000	4 3/4	25-32	9/1/32
9/1/26	Sewerage	2,000	4 3/4	5, 6	9/1/31
9/1/26	Sewerage	2,000	4 3/4	7, 8	9/1/32
9/1/26	City Hall	5,000	4 3/4	11-15	9/1/31
9/1/26	City Hall	5,000	4 3/4	16-20	9/1/32
9/1/26	City Hall	5,000	4 3/4	21-25	9/1/33
9/1/26	Elec. Light	2,000	4 3/4	5,6	9/1/31
9/1/26	Elec. Light	2,000	4 3/4	7,8	9/1/32
9/1/26	Elec. Light	2,000	4 3/4	9,10	9/1/33
9/1/26	Perm. Imp.	14,000	4 3/4	25-38	9/1/31
9/1/26	Perm. Imp.	14,000	4 3/4	39-52	9/1/32
9/1/26	Perm. Imp.	13,000	4 3/4	53-65	9/1/33
9/1/26	Gen. Corp.	5,000	4 3/4	11-15	9/1/31
9/1/26	Gen. Corp.	5,000	4 3/4	16-20	9/1/32
9/1/26	Gen. Corp.	5,000	4 3/4	21-25	9/1/33
12/1/26	School Bldg.	20,000	4 3/4	41-60	12/1/31
12/1/26	School Bldg.	21,000	4 3/4	61-81	12/1/32
12/1/26	School Bldg.	25,000	4 3/4	86-110	12/1/33
12/1/26	Water	8,000	4 3/4	17-24	12/1/31
12/1/26	Water	2,000	4 3/4	31, 32	12/1/32
12/1/26	Water	8,000	4 3/4	33-40	12/1/33
12/1/26	Street Imp.	64,000	4 3/4	193-256	12/1/31
12/1/26	Street Imp.	54,000	4 3/4	257-275,286-320	12/1/32
12/1/26	Street Imp.	59,000	4 3/4	321-350,356-384	12/1/33
4/1/27	Pub. Imp.	54,000	4 1/2	1-37,48-64	4/1/32
4/1/27	Pub. Imp.	64,000	4 1/2	65-128	4/1/33
1/1/29	Water	20,000	5	1-20	1/1/34
1/1/29	Street Imp.	38,000	5	3-40	1/1/34
1/1/29	City Hall	5,000	5	1-5	1/1/34
1/1/29	City Market	4,000	5	1-4	1/1/34
1/1/29	Sewer	1,000	5	1	1/1/34

ANNEXED TERRITORIES

Name	Date	Purpose	Amount	Rate %	Nos	Maturity
West Asheville	4/2/17	Street	11,000	5 1/2	152,154-157 160-164,170	4/1/32 6/1/31
Biltmore	6/1/24	Mun.Bldg.	1,000	6	5	6/1/32
Biltmore	6/1/24	Mun.Bldg.	1,000	6	6	6/1/33
Biltmore	6/1/24	Mun.Bldg.	1,000	6	7	1/1/32
Biltmore	1/1/26	Str.Wtr. Light	1,000	5 1/2	4	1/1/32
Biltmore	1/1/26	Str.Wtr.Light	1,000	5 1/2	5	1/1/34
Biltmore	1/1/26	Str.Wtr.Light	1,000	5 1/2	6	

May 17, 1934

Name	Date	Purpose	Amount	Rate %	Nos.	Maturity
Biltmore	7/1/25	Str.Wtr. Light	$ 2,000	5 1/4	6-7	7/1/31
Biltmore	7/1/25	Str.Wtr. Light	2,000	5 1/4	8-9	7/1/32
Biltmore	7/1/25	Str. Wtr. Light	2,000	[illegible]	[illegible]	[illegible]
Biltmore	8/1/27	Str. Imp.	2,000	5 3/4	2-3	8/1/31
Biltmore	8/1/27	Str. Imp.	2,000	5 3/4	6-7	8/1/32
Biltmore	8/1/27	Str.Wtr. & Sewer	2,000	6	8-9	10/1/31
Biltmore	10/1/22	Str.Wtr. & Sewer	2,000	6	10-11	10/1/32
Kenilworth	10/1/22	Str.Wtr. & Sewer	2,000	6	12-13	10/1/32
Kenilworth	10/1/22	Str.Wtr. & Sewer	2,000	6	13-14	1/1/33
Kenilworth	11/1/23	Str.Wtr. & Sewer	2,000	6	15-16	1/1/32
Kenilworth	1/1/23	Str.Wtr. & Sewer	2,000	6	17-18	1/1/24
Kenilworth	1/1/23	Str.Wtr. & Sewer	2,000	6	9-10	5/1/31
Kenilworth	5/1/24	Str.Wtr. & Sewer	2,000	6	11-12	5/1/32
Kenilworth	5/1/24	Str.Wtr. & Sewer	1,000	6	13	5/1/33
Kenilworth	5/1/24	Improvement	1,000	6	6	11/1/31
Kenilworth	11/1/24	Improvement	1,000	6	7	11/1/32
Kenilworth	11/1/24	Str. Imp.	4,000	6	10-13	5/1/31
Kenilworth	5/1/25	Str. Imp.	4,000	6	14-17	5/1/32
Kenilworth	5/1/25	Str. Imp.	4,000	6	18-21	5/1/33
Kenilworth	5/1/25	Str. Imp.	2,000	5 3/4	3-4	8/1/31
Kenilworth	8/1/25	Str. Imp.	2,000	5 3/4	5-6	8/1/32
Kenilworth	8/1/25	Str. Imp.	2,000	5 3/4	7-8	8/1/33
Kenilworth	8/1/25	Water & Sewer	1,000	5 1/2	1	5/1/31
Kenilworth	5/1/28	Water & Sewer	1,000	5 1/2	2	5/1/32
Kenilworth	5/1/28	Water & Sewer	1,000	5 1/2	3	5/1/33
South Biltmore	5/1/28	Street	1,000	6	2	3/10/32
Kenilworth	3/10/28	Funding	1,000	6	2	5/1/31
Kenilworth	5/1/29	Funding	1,000	6	3	5/1/32
Kenilworth	5/1/29	Funding	1,000	6	4	5 1/33
Kenilworth	5/1/29	Funding	1,000			

Total par value of bonds $1,259,000

COUPONS

Bonds Nos.	Bonds Dated	Purpose	Rate %	Coupon Maturity	Coupon No.	Amount
31	1/1/04	Refunding	4 1/2	7/1/31	1	$ 17.50
31	1/1/04	Refunding	4 1/2	1/1/32	1	17.50
1-22,24-26,28,29 31,32,34-38,40	1/1/04	Refunding	4 1/2	7/1/32	35	787.50
1-22,24-26,28,29, 31,32,34-38,40	1/1/04	Refunding	4 1/2	1/1/34	35	787.50
1-104,106-135, 138-185, 196-217, 221-355, 357-360	7/1/11	Refunding	5	7/1/32	343	8,575.00
1-104, 106-135, 138-185, 196-218, 221-355, 357-360	7/1/11	Refunding	5	1/1/34	343	8,575.00
1-50	1/1/13	School	5	1/1/34	50	1,250.00
98, 110	3/1/13	Funding & Imp	5	9/1/31	2	50.00
98, 110	3/1/13	Funding & Imp	5	3/1/32	2	50.00
98, 110	3/1/13	Funding & Imp.	5	9/1/32	2	50.00
1-87, 89-90, 54-89, 91-93, 95-157, 161-170, 172-184, 189-200	3/1/13	Funding & Imp	5	3/1/33	2	50.00
2-6, 8-33 45, 46	4/1/15	Funding	5	9/1/33	186	4,650.00
2-6, 8-33 45, 46	4/1/15	Funding	5	4/1/33	33	825.00
33-36, 38-40, 42-44, 46-50	7/1/15	Water	5	10/1/33	33	825.00
33-36, 38-40, 42-44, 46-50	7/1/15	Water	5	7/1/32	15	375.00
1-59, 74, 80-200	12/1/15	School	5	1/1/34	15	375.00
				6/1/31	180	4,500.00

May 17, 1934

Bonds Nos.	Bonds Dated	Purpose	Rate %	Coupon Maturity	Coupon No.	Amount
59-69, 71-73	12/1/15	School	5	6/1/31	14	350.00
59-69, 71-73	12/1/15	School	5	12/1/31	14	350.00
59-69, 71-73	12/1/15	School	5	6/1/32	14	350.00
59-69, 71-73	12/1/15	School	5	12/1/32	14	350.00
1-58, 74, 80-200	12/1/15	School	5	6/1/33	180	4,500.00
59-69, 71-73	12/1/15	School	5	6/1/33	14	350.00
1-58, 74, 80-200	12/1/15	School	5	12/1/33	180	4,500.00
59-59,71-73	12/1/15	School	5	12/1/33	14	350.00
46-72	7/1/16	Refunding	5	7/1/32	27	675.00
49-72	7/1/16	Refunding	5	7/1/33	24	600.00
52-72	7/1/16	Refunding	5	1/1/34	21	525.00
27-81,97	7/1/18	Refunding	5/1/4	7/1/32	56	1,470.00
31-81,97	7/1/18	Refunding	5 1/4	1/1/34	52	1,365.00
173,180-184, 193,199-200	7/1/19	School	5	7/1/31	9	225.00
79-184,190-193 199-200	7/1/19	School	5	1/1/33	112	2,800.00
79-184,190-193 199-200	7/1/19	School	5	7/1/33	112	2,800.00
85-184,190-193 199-200	7/1/19	School	5	1/1/34	106	2,650.00
122-123	2/1/20	Water	5 1/4	8/1/31	2	52.50
122-123	2/1/20	Water	5 1/4	2/1/32	2	52.50
122-123, 158	2/1/20	Water	5 1/4	8/1/32	3	78.75
122-123,158,	2/1/20	Water	5 1.4	2.1.33	3	78.75
81/120,122-128, 131-155,158, 161-340	2/1/20	Water	5 1/4	8/1/33	253	6,641.25
131.160	1/1/21	Street	6	7/1/32	30	900.00
146/160	1/1/21	Street	6	1/1/34	15	450.00
46-81,86-90	6/1/21	Street	6	6/1/32	41	1,230.00
55-81,86-90	6/1/21	Street	6	6/1/33	32	960.00
64-81,86-90	6/1/21	Street	6	12/1/33	23	690.00
9-25	6/1/21	Water	6	6/1/32	17	510.00
10-25	6/1/21	Water	6	6/1/33	16	480.00
11-25	6/1/21	Water	6	12/1/33	15	450.00
10-32,34-37	6/1/21	Sewer	6	6/1/32	27	810.00
27-28	6/1/21	Sewer	6	12/1/32	2	60.00
11-32, 34-37	6/1/21	Sewer	6	6/1/33	26	780.00
12-20,22,24-26 29-32, 34-37	6/1/21	Sewer	6	12/1/33	21	630.00
11-14,16-34, 37-40	6/1/21	Refunding	6	6/1/32	27	810.00
37-38	6/1/21	Refunding	6	12.1.32	2	60.00
12-14,16-34, 37-40	6/1/21	Refunding	6	6/1/33	26	780.00
13-14,16-22, 25-34,39-40	6/1/21	Refunding	6	12/1/33	21	630.00
81-85,125-128, 156-157,181-195,211-216, 218,225,236-237, 239-268,270,316, 336-348,351-352, 359-365,368-388, 397-400,411-420, 441-444, 471-495, 501-550.	6/1/21	School	6	6/1/31	210	6,300.00
221-225	6/1/21	School	6	12/1/31	5	150.00
221-225,384-388	6/1/21	School	6	6/1/32	10	300.00
121-128,131-157,160-300, 316-348,351-495,501-550.	6/1/21	School	6	12/1/32	404	12,120.00
121-128,131-157,160-300, 317-348,351-381,384-495, 501-550.	6/1/21	School	6	6/1/33	401	12,030.00
141-157,160-300,317-348, 351-381,389-495,501-550.	6/1/21	School	6	12/1/33	378	11,340.00
41-104,109-112,115-131, 137-195	2/1/22	Public Imp.	5 1/4	8/1/33	144	3,780.00
43-79,85-154, 160-200.	2/1/22	Refunding	5 1/4	8/1/33	148	3,885.00
84-87,102-139 144-150	9/1/22	St. Imp.	4 3/4	9/1/33	49	1,163.75

May 17, 1934

Bonds Nos.	Bonds Dated	Purpose	Rate %	Coupon Maturity	Coupon No.	Amount
	9/1/22	Public Imp.	4 3/4	9/1/33	172	4,085.00
37-46,53,59-100, 106-196,198-225 227-238,237-269, 287-346,349-363, 376-451,453-464, 469,508,519-526, 537-538,552-559, 585-589,602-617, 641-650.	6/1/23	St. Imp.	5 1/4	6/1/32	292	7,665.00
287-289,287-346, 349-363,376-351, 453,464,469-508, 519-526,537-538, 552-559,585-589, 602-617,641-650.	6/1/23	St. Imp.	5 1/4	6/1/33	265	6,956.25
289-346,349-363, 376-451,453-464, 469-508,519-526, 537-538,552-559, 585-589,602-617, 641-650.	6/1/23	St. Imp.	5 1/4	12/1/33	250	6,562.50
46-48,50-51,55-60 63-72,79-81,85-92, 95-123,126-160, 164-165,167-174, 177-186,189-208, 212,231-235,237-275,	6/1/23	Pub. Imp.	5 1/4	6/1/33	181	4,751.25
71	6/1/23	Pub. Imp.	5 1/4	6/1/31	1	26.25
71	6/1/23	Pub. Imp.	5 1/4	12/1/31	1	26.25
71	6/1/23	Pub. Imp.	5 1/4	12/1/32	1	26.25
50-51,55-60,63-72, 79-81,85-92,95-123,126-160,164-165, 167-174,177-186, 189-208,212,231-235, 237-275,	6/1/23	Pub. Imp.	5 1/4	6/1/33	178	4,672.50
55-60,63-72,79-81, 85-92,95-123,126-160,164-165,167-174, 177-186,189-208,212, 231-235,237-275,	6/1/23	Pub. Imp.	5 1/4	12/1/33	176	4,620.00
141-200,221-440	5/1/23	St. Imp.	5	5/1/32	240	6,000.00
161-200,221-400	5/1/24	St. Imp.	5	5/1/33	220	5,500.00
181-200,221-400	5/1/24	St. Imp.	5	11/1/33	200	5,000.00
57-72,78-83,89-184 186-191,196-198.	5/1/24	Pub. Imp.	5	5/1/32	127	3,175.00
65-72,78-83,89-184, 186-191,196-198.	5/1/24	Pub.Imp.	5	5/1/33	119	2,975.00
78-83,89-184,186-191,196-198.	5/1/24	Pub. Imp.	5	11/1/33	111	2,775.00
393-394,403-404, 430-435.	11/1/24	Water	4 3/4	5/1/31	10	237.50
393-394,403-404, 430-435.	11/1/24	Water	4 3/4	11/1/31	10	237.50
159-168,171-180, 186-190,195-239, 241-280,286-290, 296-328,334-344, 355-365,370-377, 387-394,397-400, 403-404,409-455, 471-550	11/1/24	Water	4 3/4	5/1/32	418	9,927.50
393-394,403-404, 430-435	11/1/24	Water	4 3/4	11/1/32	10	237.50
159-168,171-180,186-189,195-239,241-280, 286-290,296-328, 334-344,355-365, 370-377,387-394, 397-400,403-404, 409-455,471-500.	11/1/24	Water	4 3/4	5/1/33	418	9,927.50
159-168,171-180, 186-189,195-239, 241-280,286-290, 296-328,334-344, 355-365,370-377, 387-394,397-400, 403-404,409-455, 471-550.	11/1/24	Water	4 3/4	11/1/33	418	9,927.50
211-265,271-300, 393-600.	11/1/24	St. Imp.	4 3/4	5/1/32	382	9,096.25
241-265,271-300 393-600.	11/1/24	St. Imp.	4 3/4	5/1/33	353	8,383.75
241-265,271-300, 393-600.	11/1/24	St. Imp.	4 3/4	11/1/33	353	8,383.75

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Bonds Nos.	Bonds Dated	Purpose	Rate %	Coupon Maturity	Coupon No.	Amount
49-75,78-80	4/1/25	Refunding	4 3/4	4/1/33	30	712.50
61-75,78-80	4/1/25	Refunding	4 3/4	10/1/33	18	427.50
56-58,65-130,136-175,181-280,291-550.	4/1/25	School Bldg.	4 3/4	4/1/33	469	11,138.75
71-130,136-175,181-280,291-550.	4/1/25	School Bldg.	4 3/4	10/1/33	460	10,925.00
427-430	4/1/25	Public Bldg.	4 3/4	10/1/31	4	95.00
427-430	4/1/25	Public Bldg.	4 3/4	4/1/32	4	95.00
427-430	4/1/25	Public Bldg.	4 3/4	10/1/32	4	95.00
41-60,69-100,106-153, 159-177,183-196,207, 209-223,226-238,244-250,256-348,351-384, 401-418,420-430,433-440, 464-520.	4/1/25	Public Bldg.	4 3/4	4/1/33	390	9,262.50
491	4/1/25	Street	4 3/4	10/1/31	1	23.75
491	4/1/25	Street	4 3/4	4/1/32	1	23.75
491	4/1/25	Street	4 3/4	10/1/32	1	23.75
51-199,201-235, 241-270,301-436, 456-461,463-471, 476-486,490-500, 503-516,520,551-600	4/1/25	Street	4 3/4	4/1/33	452	10,735.00
61-199,201-235, 241-270,301-436, 456-461,463-471, 476-486,490-500, 503-516,520,551-600.	4/1/25	Street	4 3/4	10/1/33	442	10,497.50
11-14,17-78,82-93	9/1/26	Sewerage	4 3/4	9/1/33	78	1,852.50
67	9/1/26	City Hall	4 3/4	9/1/31	1	23.75
67	9/1/26	City Hall	4 3/4	3/1/32	1	23.75
67	9/1/26	City Hall	4 3/4	9/1/32	1	23.75
67	9/1/26	City Hall	4 3/4	3/1/33	1	23.75
53-65,73-139, 141-145,147-199, 205-210,218-400, 41-81,86-325, 291-320,331-592, 601-775,785-792, 808-809,866-975, 1001-1450,1462-1479, 1486-1500.	9/1/26	Perm. Imp.	4 3/4	9/1/33	367	8,716.25
1348-1350	12/1/26	School Bldg.	4 3/4	12/1/31	5	118.75
1346-1350	12/1/26	School Bldg.	4 3/4	6/1/32	5	118.75
61-81,86-235, 291-320,331-592, 601-775,785-792, 808-809,866-975, 1001-1450,1462-1479, 1486-1500	12/1/26	School Bldg.	4 3/4	12/1/32	1241	29,473.75
86-235,291-320, 331-592,601-775, 785-792,808-809, 866-975,1001-1450, 1462-1479,1486-1500.	12/1/26	School Bldg.	4 3/4	6/1/33	1220	28,975.00
86-235,291-320 331-592,601-775, 785-792,808-809, 866-975,1001-1450, 1462-1479,1486-1500.	12/1/26	School Bldg.	4 3/4	12/1/33	1220	28,975.00
31-68,74-76,82-96, 107-136,145-172, 185-190,194-235, 251,257-285,291-364, 375-491	12/1/26	Water	4 3/4	6/1/32	383	9,096.25
33-68,74-76,82-96, 107-136,145-172, 185-190,194-235, 251,257-285,291-364, 375-491.	12/1/26	Water	4 3/4	6/1/33	381	9,048.75
33-68,74-76,82-96, 107-136,145-172, 185-190, 194-235, 251, 257-285,291-364, 375-491.	12/1/26	Water	4 3/4	12/1/33	381	9,048.75
257-275,286-350, 356-415,426-576, 587-607,611-641, 644-660,666-680, 719-802,823-827, 830-912,921-948, 956-1000.	12/1/26	Street Imp.	4 3/4	6/1/32	624	14,820.00
321-350,356-415, 426-576,587-607, 611-641,644-660, 666-680,719-802, 823-827,830-912, 921-948,956-1000.	12/1/26	Street. Imp.	4 3/4	6/1/33	570	13,537.50

May 17, 1934

Bonds Nos.	Bonds Dated	Purpose	Rate %	Coupon Maturity	Coupon No.	Amount
321-350,356-415 426-576,587-607, 611-641,644-660, 666-680,719-802, 823-827,830-912, 921-948,956-1000.	12/1/26	Street Imp.	4 3/4	12/1/33	570	13,537.50
1	12/1/26	Street. Imp.	4 3/4	6/1/31	1	23.75
1	12/1/26	Street Imp.	4 3/4	12/1/31	1	23.75
1	12/1/26	Street Imp	4 3/4	12/1/32	1	23.75
6-564	4/1/27	Pub. Imp.	4 1/2	10/1/31	9	202.50
6-564	4/1/27	Pub. Imp.	4 1/2	4/1/32	10	225.00
6-564,872-876	4/1/27	Pub. Imp.	4 1/2	10/1/32	20	450.00
66-1230. 4-164,180-211 2-275,277-359, 6-394,387,391-398, 0,4520639,641-694, 0-791,797-832, 8-876,897-961, 7-1028,1034-1162, 8-1347,1352-1354, 9-1408,1419-1831, 4-1916,1920-1936, 42-2000.	4/1/27	Pub. Imp.	4 1/2	4/1/33	1719	38,677.50
0-80,26-35,41-43, 4-130,136-180, 9-275,291-295, 1-350,361-375, 1-414,421-500.	3/1/28	Water	4 1/2	9/1/33	364	8,190.00
0,31-50,61-78, 4-111,114-191, 8-537,541-1053, 57-1065,1076-1115, 86-1232.	1/1/29	Water	4 1/2	7/1/33	1181	29,525.00
0,41-50,61-78 4-111,114-191, 8-537,541-1028, 46-1053,1057-1065, 76-1115,1126-1232.	1/1/29	Water	4 1/2	1/1/34	1154	28,850.00
821-825	1/1/29	Street Imp.	5	7/1/31	6	150.00
821-825	1/1/29	Street Imp.	5	1/1/32	6	150.00
45,226-228, 4-274,285-297, 2-316	1/1/29	Street Imp.	5	7/1/32	32	800.00
0,46-193, 4-225,229-233, 4-270,275-284, 4-311,319-320, 4-363,365-442, 4-477,480-489, 4-555,566-680, 4-722,729-733, 4-770,776-890,	1/1/29	Street Imp.	5	7/1/32	801	20,025.00
0,46-193, 4-225,229-233, 4-270,275-284, 4-311-319-320, 4-363,365-442, 4-477,480-489, 4-555,566-680, 4-722,729-733, 4-770,776-890 821-825	1/1/29	Street Imp.	5	1/1/34	801	20,025.00
142-145,214-215, 19	1/1/29	Street Imp.	5	1/1/33	6	150.00
1,13-17,20-31 8,76-86,88, 104,139-141, 4-176,179-180, 4-195,201-213, 4-280	1/1/29	City Hall	5	7/1/32	9	225.00
1,13-17,20-31 8,76-86,88, 104,139-141, 4-176,179-180, 4-195,201-213, 4-250.	1/1/29	City Hall	5	7/1/32	214	5,350.00
2,96-100 13-45,51-64, 0,76-95,101-125, 135,140-175, 13-45,51.64, 0,76-95,101-125, 135,140-175.	1/1/29	City Hall	5	1/1/34	214	5,350.00
38	1/1/29	City Market	5	7/1/32	9	225.00
	1/1/29	City Market	5	7/1/32	146	3,650.00
	1/1/29	City Market	5	7/1/33	146	3,650.00
	1/1/29	City Market	5	1/1/34	146	3,650.00
	1/1/29	Sewer	5	7/1/32	3	75.00

May 17, 1934

Bonds Nos.	Bonds Dated	Purpose	Rate %	Coupon Maturity	Coupon No.	Amount
1-2,4,6-10,15-16, 18-25,27-31, 34-39,41-43,	1/1/29	Sewer	5	7/1/32	32	800.00
1-2,4,6-10,15-16, 18-25,27-31, 34-39,41-43.	1/1/29	Sewer	5	7/1/33	32	800.00
1-2,4,6-10,15-16, 18-25,27-31, 34-39,41-43.	1/1/29	Sewer	5	1/1/34	32	800.00
2-80-82-90,101-120, 122-175	3/1/30	Street Imp.	5 1/2	9/1/33	162	4,455.00

ANNEXED TERRITORIES

Name	Bonds Nos.	Bonds Dated	Purpose	Rate %	Coupon Maturity	Coupon No	Amount
W.Asheville	1-6,9-50	4/1/14	Water Works & Sewer	5	4/1/33	48	$1,200.
W.Asheville	1-6,9-50	4/1/14	Water Works & Sewer	5	10/1/33	48	1,200.
W.Asheville Sp.Tax School Dist.	1-25	4/15/16	School	5	10/15/33	25	625.
W.Asheville Sp.Tax School Dist.	13-25	4/15/16	School	5	4/15/33	13	325.
Biltmore	6-40	6/1/24	Mun.Bldg.	6	6/1/32	35	1,050.
Biltmore	7-40	6/1/24	Mun. Bldg	6	6/1/33	34	1.020.
Biltmore	8-40	6/1/24	Mun. Bldg.	6	12/1/33	33	990.
Biltmore	5-20	1/1/26	Street, Water & Light	5 1/2	7/1/32	16	440.
Biltmore	6-20	1/1/26	Street, Water & Light	5 1/2	1/1/34	15	412.
Biltmore	8-13,16-45	7/1/25	Street, Water & Elec. Light	5 1/4	7/1/32	36	945.
Biltmore	12,13,16-45	7/1/25	Street, Water & Elec. Light	5 1/4	1/1/34	32	840.
Kenilworth	15	1/1/19	Street Imp.	6	7/1/32	1	15.
Kenilworth	15	1/1/19	Street Imp.	6	1/1/34	1	15.
Kenilworth	10-12,14-20, 22023	10/1/22	Street,Water & Sewer	6	4/1/32	12	360.
Kenilworth	12-23	10/1/22	Street, Water & Sewer	6	4/1/33	12	360.
Kenilworth	12-23	10/1/23	Street, Water & Sewer	6	10/1/33	12	360.
Kenilworth	12-14	1/1/23	Public Park	6	7/1/31	3	90.
Kenilworth	12-14	1/1/23	Public Park	6	1/1/32	3	90.
Kenilworth	10-25	1/1/23	Public Park	6	7/1/32	16	480.
Kenilworth	12-14	1/1/23	Public Park	6	1/1/33	3	90.
Kenilworth	10-25	1/1/23	Public Park	6	1/1/34	16	480.
Kenilworth	15-33,35-53	1/1/23	Street,Water & Sewer	6	7/1/32	38	1,140.
Kenilworth	17-33,35-53	1/1/23	Street,Water & Sewer	6	1/1/34	36	1,080.
Kenilworth	11-13,17-21, 23-35 42-43,55-65	5/1/24	Street,Water & Sewer	6	5/1/32	34	1,020.
Kenilworth	22	5/1/24	Street,Water & Sewer	6	11/1/32	1	30.
Kenilworth	13,17-21, 23-35,42-43, 55-65	5/1/24	Street,Water & Sewer	6	5/1/33	32	960.
Kenilworth	22	5/1/24	Street,Water & Sewer	6	5/1/33	1	30.
Kenilworth	17-21,23-35 42-43,55-65	5/1/24	Street,Water & Sewer	6	11/1/33	31	930.
Kenilworth	22	5/1/24	Street,Water & Sewer	6	11/1/33	1	30.
Kenilworth	6-33	11/1/24	Improvement	6	5/1/33	28	840.
Kenilworth	7-33	11/1/24	Improvement	6	5/1/33	27	810.
Kenilworth	7-33	11/1/24	Improvement	6	11/1/33	27	810.
Kenilworth	14-28 30-49,52-56, 62-64	5/1/25	Street Imp.	6	5/1/32	43	1,290.
Kenilworth	18-28,30-49 52-56,62-64	5/1/25	Street Imp.	6	5/1/33	39	1,170.
Kenilworth	22-28,30-49 52-56,62-64	5/1/25	Street Imp.	6	11/1/33	35	1,050.
Kenilworth	7-12,17-26, 28-33, 35-40	7/1/25	Water & Sewer	6	7/1/32	28	840.
Kenilworth	7-12,17-26, 28-33,35-40	7/1/25	Water & Sewer	6	1/1/34	28	840.
Kenilworth	2-11	5/1/28	Water & Sewer	5 1/2	5/1/32	10	275.
Kenilworth	3-11	5/1/28	Water & Sewer	5 1/2	5/1/33	9	247.
Kenilworth	4-11	5/1/28	Water & Sewer	5 1/2	11/1/33	8	220.
SoBiltmore	4,6-7,10-21	3/10/28	Street	6	3/10/33	15	450.
SoBiltmore	4,6-7,10-21	3/10/28	Street	6	9/10/32	15	450.
Kenilworth	3-30	5/1/29	Funding	6	5/1/32	28	840.
Kenilworth	4-30	5/1/29	Funding	6	5/1/33	27	810.
Kenilworth	5-30	5/1/29	Funding	6	11/1/33	26	780.
					Total Coupons		$ 693,228.

May 17, 1934

Mr. George H. Wright, Attorney, appearing for Nolan Harrigan, E. H. Alden, and F.J. Rue, filed notice of claim and demand upon the City of Asheville and the City Council, for payment of notes and coupons and interest on said notes.

No action taken.

NOTICE OF CLAIM AND DEMAND

TO THE HONORABLE, THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA, AND TO ALL LAWFUL AUTHORITIES OF SAID CITY:

PLEASE TAKE NOTICE, that we, the undersigned NOLAN HARRIGAN, E. H. ALDEN, and F. J. RUE, are collectively the owners and holders of past due and unpaid notes of the City of Asheville, North Carolina, and of past due and unpaid coupons attached to notes of said City. A schedule describing the said notes and coupons and showing, in the case of non-coupon notes, the interest installments due thereon, is annexed hereto and made a part of this notice.

WE HEREBY CLAIM AND DEMAND the face amounts of said notes and coupons and the amounts of said interest installments, together with interest on said notes, coupons and interest installments from the dates on which they severally became due; and we hereby present each and all of said claims, to be audited, allowed and paid.

Dated, May 17, 1934.

Nolan Harrigan
E. H. Alden
F. J. Rue

SCHEDULE

SHOWING OWERDUE NOTES, COUPONS AND INTEREST INSTALLMENTS ON NOTES OF THE CITY OF ASHEVILLE.

I.

(a) 14 6% notes, for the aggregate principal amount of $42,000 dated February 1, 1925. The numbers of said notes, their dates of maturity, and the amount of principal due on each maturity date, are as follows:

Note Numbers (all inclusive)	Maturity (Date)	Amount
31-35,	February 1, 1932,	$13,000
36-40	February 1, 1933,	13,000
41-44,	February 1, 1934,	16,000
	Total Principal Amount,	$ 42,000

(b) 13 coupons attached to said notes. The numbers of the notes to which said coupons are attached, the dates of maturity of said coupons, and the amount of said coupons due on each maturity date, are as follows:

Note Numbers (all inclusive)	Maturity Date of Coupons	Amount
36-44,	February 1, 1933,	$ 870
41-44,	February 1, 1934,	480
	Total Amount of Coupons,	$1, 350

The aggregate amount of said notes and coupons is $43,350.

II.

(a) 895 5½% General Corporate Notes, for the aggregate principal sum of $895,000, dated March 15, 1929, due and payable September 15, 1933, and numbered as follows: 1 to 745, inclusive, and 751 to 900, inclusive.

(b) 752 coupons attached to said notes. The numbers of the notes to which said coupons are attached, the dates of maturity of said coupons, and the amount of said coupons due on each maturity date, are as follows:

Note Numbers (all inclusive)	Maturity Date of Coupons	Amount
799-900,	March 15, 1932,	$2,932.50
802-900,	September 15, 1932,	2,846.25
845-745& 751-900,	March 15, 1933,	15,841.25
	Total Amount of Coupons,	$21,620.00

The aggregate amount of said notes and coupons is $916,620.

III.

(a) 850 6% General Corporate Notes, for the aggregate principal amount of $850,000, dated April 15, 1929, due and payable April 15, 1933, and numbered as follows: 1 to 77, inclusive, 83 to 208, inclusive, 221 to 226, inclusive, 232 to 247, inclusive, 253 to 645, inclusive, 651 to 702, inclusive, 753 to 766, inclusive, 769 to 900, inclusive 902 to 909, inclusive, and 915 to 940, inclusive.

(b) 1049 coupons attached to said notes. The numbers of the notes to which said coupons are attached, the dates of maturity of said coupons, and the amount of said coupons due on each maturity date, are as follows:

Note Numbers (all inclusive)	Maturity Date of Coupons	Amount
540, 540,847-900,) 902-909, 915-950)	October 15, 1931, April 15, 1932,	$ 30.00 2,970.00
540, 847-900,) 902-909, 915-950)	October 15, 1932,	2,970.00
1-77, 83-208, 221-226) 232-247, 253-645,) 651-702, 753-756,) 769- 900, 902-909,) 915-940,)	April 15, 1933,	25,500.00
	Total Amount of Coupons,	$31,470.00

The aggregate amount of said notes and coupons is $881,470.

IV.

14 6% Public Improvement Notes, for the aggregate principal sum of $350,000, dated May 1, 1929, due and payable December 1, 1931, and numbered 1 to 14, inclusive, bearing interest from their date at the rate of 6% per annum, payable on May 1st, in each of the years 1930 and 1931, and at the maturity of the principal amount thereof.

In addition to $350,000 principal there is owing on said notes unpaid interest installments in the following amounts, which became due and payable on the following dates:

Due Date	Amount
May 1, 1931,	$21,000
December 1, 1931,	12,250
Total Amount of Interest Installment,	33,250

The aggregate amount of unpaid principal of and interest on said notes is $383,250.

V.

991 coupons attached to 6% Public Improvement Notes dated June 25, 1929, and payable June 25, 1935. The numbers of the notes to which said 991 coupons are attached, the dates on which said coupons matured and became due and payable, and the amount of said coupons on each maturity date, are shown in the following schedule:

Note Numbers (all inclusive)	Maturity Date	Amount
391-392, 441-449, 474-478,	December 25, 1931,	$ 480
454-500,	June 25, 1932,	1,410
3-45,51,54-60,63-284) 310-500.)	December 25, 1932,	13,920
3-45,51,54-60,63-284) 310-500.	June 25, 1933,	13,920
	Total Amount of Coupons	$ 29,730

VI.

3 City Hall Notes, for the aggregate principal sum of $65,000, dated December 15, 1930, due and payable June 12, 1931, numbered from 1 to 3, inclusive, and bearing interest from their date at the rate of 5% per annum, payable at the maturity of said notes.

In addition to $65,000 principal, there is owing on said notes an unpaid interest installment in the amount of $1,625, which became due and payable on June 12, 1931.

VII.

12 Renewal Notes, Series A, for the aggregate principal sum of $120,000, dated May 1, 1931, due and payable March 1, 1932, numbered from 1 to 12, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $120,000 principal, there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$3,400.00	$ 660.79	$ 2,739.21
March 1, 1932,	850.00		850.00
	Total Amount of Unpaid Interest Installments		$ 3,589.21

The aggregate amount of unpaid principal of and interest on said notes is $123,589.21

VIII.

21 Renewal Notes, Series B, for the aggregate principal sum of $105,000, dated May 1, 1931, due and payable March 1, 1932, numbered from 1 to 21, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $105,000 principal, there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$2,975.00	578.19	$2,396.81
March 1, 1932,	743.75		743.75
	Total Amount of Unpaid Interest Installments,		$3,140.56

The aggregate amount of unpaid principal of and interest on said notes is $108,140.56.

IX.

22 Renewal Notes, Series C, for the aggregate principal sum of $110,000, dated May 1, 1932, due and payable March 1, 1932, numbered from 1 to 22, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $110,000 principal, there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 3,116.67	$ 605.72	$2,510.95
March 1, 1932,	779.17		779.17
	Total Amount of Unpaid Interest Installments,		$3,290.12

The aggregate amount of unpaid principal of and interest on said notes is $113,290.12.

X.

10 Renewal Notes, Series D, for the aggregate principal sum of $50,000, dated May 1, 1931, due and payable March 1, 1932, numbered from 11 to 20, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st, and March 1st, 1932.

In addition to $50,000 principal, there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 1,416.67	$ 275.33	$ 1,141.34
March 1, 1932,	354.17		354.17
	Total Amount of Unpaid Interest Installments,		$ 1,495.51

The aggregate amount of unpaid principal of and interest on said notes is $51,495.51.

XI.

20 Renewal Notes, Series E, for the aggregate principal sum of $100,000, dated May 1, 1931, due and payable March 1, 1932, numbered from 1 to 20, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st, and March 1st, 1932.

In addition to $100,000 principal, there is owing on said notes portions of inte installments as shown in the following Schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$2,833.33	$ 550.66	$ 2,282.67
March 1, 1932,	708.33		708.33
	Total Amount of Unpaid Interest Installments,		$ 2,991.00

The aggregate amount of unpaid principal of and interest on said notes is $102,9

XII.

30 Renewal Notes, Series F, for the aggregate principal sum of $150,000, dated M 1931, due and payable March 1, 1932, numbered from 1 to 30, inclusive, and bearing inte from their date at the rate of 4½% per annum, payable on January 1st, and March 1st, 19

In addition to $150,000 principal, there is owing on said notes portions of inte installments as shown in the following schedules:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 4,250.00	$ 825.99	$ 3,424.01
March 1, 1932,	1,062.50		1,062.50
	Total Amount of Unpaid Interest Installments,		$ 4,486.51

The aggregate amount of unpaid principal of and interest on said notes is $154,4

XIII.

35 Renewal Notes, Series G, for the aggregate principal sum of $350,000, dated M 1931, due and payable March 1, 1932, numbered from 1 to 35, inclusive, and bearing inte from their date at the rate of 4½% per annum, payable on January 1st, and March 1st, 19

In addition to $350,000 principal, there is owing on said notes portions of inte installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 8,759.72	$ 1,927.29	$ 6,832.43
March 1, 1932,	2,479.17		2,479.17
	Total Amount of Unpaid Interest Installments,		$ 9,311.60

The aggregate amount of unpaid principal of and interest on said notes is $359,

XIV.

14 Renewal Notes, Series H, for the aggregate principal sum of $140,000, dated 1931, due and payable March 1, 1932, numbered from 1 to 14, inclusive, and bearing int from their date at the rate of 4½% per annum, payable on January 1st, and March 1st, 1

In addition to $140,000 principal, there is owing on said notes portionsof inte installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 3,966.67	$ 770.92	$ 3,195.75
March 1, 1932,	991.67		991.67
	Total Amount of Unpaid Interest Installments,		$ 4,187.42

The aggregate amount of unpaid principal of and interest on said notes is $144,

XV.

35 Renewal Notes, Series I, for the aggregate principal sum of $350,000, dated 1, 1931, due and payable March 1, 1932, numbered from 1 to 35, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and Marc 1st, 1932.

In addition to $350,000 principal, there is owing on said notes portions of int installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 9,916.67	$ 1,927.29	$ 7,989.38
March 1, 1932,	2,479.17		2,479.17
	Total Amount of Unpaid Interest Installments,		10,468.55

The aggregate amount of unpaid principal of and interest on said notes is $36

XVI.

23 Renewal Notes, Series J, f r the aggregate principal sum of $230,000, dated June 15, 1931, due and payable March 1, 1932, numbered from 36 to 38, inclusive, and from 41 to 60, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $230,000 principal, there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 5,294.77	$ 1,266.51	$ 4,028.26
March 1, 1932,	1,770.84		1,770.84
	Total Amount of Unpaid Interest Installments,		$ 5,799.10

The aggregate amount of unpaid principal of and interest on said notes is $235,799.10.

XVII.

28 Renewal Notes, Series K, for the aggregate principal sum of $280,000, dated September 1, 1931, due and payable March 1, 1932, numbered from 61 to 88, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $280,000 principal, there is owing on said notes portion of interest installment as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 3,966.67	$ 1,541.82	$ 2,424.85
March 1, 1932,	1,983.34		1,983.34
	Total Amount of Unpaid Interest Installments,		$ 4,408.19

The aggregate amount of unpaid principal of and interest on said notes is $284,408.19

XVIII.

30 Renewal Notes, Series L, for the aggregate principal sum of $300,000, dated May 1, 1931, due and payable March 1, 1932, numbered from 1 to 30, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $300,000 principal, there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$8,500.00	$ 1,651.98	$ 6,848.02
March 1, 1932,	2,125.00		2,125.00
	Total Amount of Unpaid Interest Installments,		$ 8,973.02

The aggregate amount of unpaid principal of and interest on said notes is $308,973.02.

XIX.

20 Renewal Notes, Series M, for the aggregate principal sum of $200,000, dated September 1, 1931, due and payable March 1, 1932, numbered from 31 to 50, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $200,000 principal, there is owing on said notes portion of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 2,833.34	$ 1,101.31	$ 1,732.03
March 1, 1932,	1,416.67		1,416.67
	Total Amount of Unpaid Interest Installments,		$ 3,148.70

The aggregate amount of unpaid principal of and interest on said notes is $203,148.70.

XX.

30 Renewal Notes, Series N, for the aggregate principal sum of $300,000, dated May 1, 1931, due and payable March 1, 1932, numbered from 1 to 30, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $300,000 principal, there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 8,500.00	$ 1,651.97	$ 6,848.03
March 1, 1932,	2,125.00		2,125.00
Total Amount of Unpaid Interest Installments,			$ 8,973.03

The aggregate amount of unapid principal of and interest on said notes is $308,9

XXI.

10 Renewal Notes, Series O, for the aggregate principal sum of $100,000, dated J 15, 1931, due and payable March 1, 1932, numbered from 31 to 40, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $100,000 principal, there is owing on said notes portions of inte installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 2,302.09	$ 550.66	$ 1,751.43
March 1, 1932,	708.34		708.34
Total Amount of Unpaid Interest Installments,			$ 2,459.77

The aggregate amount of unapid principal of and interest on said notes is $102,4

XXII.

40 Renewal Notes, Series P, for the aggregate principal sum of $400,000, dated M 193, due and payable March 1, 1932, numbered from 1 to 40, inclusive, and bearing intere from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 193

In addition to $400,000 principal, there is owing on said notes portions of inte installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$11,333.34	$ 2,202.63	$ 9,130.71
March 1, 1932,	2,833.34		2,833.34
Total Amount of Unpaid Interest Installments,			$ 11,964.05

The aggregate amount of unpaid principal of and interest on said notes is $411,9

XXIII.

80 Renewal Notes, Series Q, for the aggregate principal sum of $800,000, dated M 1, 1931, due and payable March 1, 1932, numbered from 1 to 80, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $800,000 principal, there is owing on said notes portions of inte installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 22,666.67	$ 4,405.24	$ 18,261.43
March 1, 1932,	5,666.67		5,666.67
Total Amount of Unpaid Interest Installments,			$ 23,928.10

The aggregate amount of unpaid principal of and interest on said notes is $823,9

XXIV.

30 Renewal Notes, Series R, for the aggregate principal sum of $300,000, dated M 1931, due and payable March 1, 1932, numbered from 1 to 30, inclusive, and bearing inte from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 193

In addition to $300,000 principal there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 8,500.00	$ 1,651.96	$ 6,848.04
March 1, 1932,	2,125.00		2,125.00
Total Amount of Unpaid Interest Installments,			$ 8,973.04

The aggregate amount of unpaid principal of and interest on said notes is $308,973.04.

XXV.

30 Renewal Notes, Series S, for the aggregate principal sum of $295,000, dated May 1, 1931, due and payable March 1, 1932, numbered from A-2 to A-31, inclusive, and bearing interest from their date at the rate of 4½% per annum, payable on January 1st and March 1st, 1932.

In addition to $295,000 principal, there is owing on said notes portions of interest installments as shown in the following schedule:

Due Date of Installment	Amount of Installment	Amount Paid	Balance Due
January 1, 1932,	$ 8,358.34	$ 1,684.42	$ 6,733.92
March 1, 1932,	2,089.59		2,089.59
Total Amount of Unpaid Interest Installments,			$ 8,823.51

The aggregate amount of unpaid principal of and interest on said notes is $303,823.51.

[illegible] PARK

Dr. R. F. Campbell, on behalf of the colored citizens of Asheville, urged that action be taken at once by the Council in the purchase of property and equipment of a park for the colored people of the City.

Councilman Baumberger reported the committee appointed to consider the recommendation of the Planning Commission in regard to the Campbell property would be ready to submit a report at the next meeting.

[illegible]

Messrs. W. S. McRary and M. W. Hamrick, representing members of the West Asheville Men's Club, asked that the Council carry out the project of widening and straightening Haywood Road to Asheville School with Federal highway funds.

City Manager, Geo. L. Hackney, explained that the balance left after Biltmore Avenue, Merrimon Avenue and Broadway are repaved will beused for the widening of Clingman Avenue.

[illegible]

Mayor Wamboldt called for consideration Ordinance #208- entitled An Ordinance providing for qualifications as conditions precedent for licensing bus and tax-cab drivers; the proper maintenance of busses and taxi-cabs; and authority to the City Manager to regulate certain motor vehicle traffic.

Councilman Baumberger made a motion, which was seconded by Councilman Miller, that action be deferred until the next meeting. Upon calling for a vote Mayor Wamboldt declared the motion carried.

[illegible] UTILITIES COMMISSION

Councilman Boyd, Chairman of the Utilities Committee, reported the hearing before the State Utilities Commission for the filing of petitions on telephone rates had been postponed from May 17 th June 5.

W. R. & L. H. SPRINKLE

[illegible] PERMIT

The application of W. R. and L. H. Sprinkle, trading as Beaverdam Bus Line, for permit to operate public service vehicles or motor busses was presented and on motion of Councilman Miller, seconded by Councilman Westall, unanimously ordered referred to the City Manager and the Assistant Corporation Counsel for recommendation.

[illegible] REQUESTING PAYMENT

[illegible] LIGHT [illegible]

A resolution requesting the Carolina Power and Light Company to make immediate payment to the City of Asheville of the sum of money specified in city resolution, passed on April 26, 1934, was on motion of Councilman Jack Westall, seconded by Councilman Chas. F. Crow, adopted.

A RESOLUTION REQUESTING THE CAROLINA POWER AND LIGHT COMPANY TO MAKE IMMEDIATE PAYMENT TO THE CITY OF ASHEVILLE ON THE SUM OF MONEY SPECIFIED IN CITY RESOLUTION PASSED ON APRIL 26, 1934.

WHEREAS, The City of Asheville, by virtue of an ordinance passed by the City Council upon its final reading on March 12, 1934, entered into a written contract, dated April 24, 1934, with the Carolina Power and Light Company whereby the Power Company obligated itself to do the work of surfacing such portions of certain of the streets of the City or pay to the City in lieu of doing such work the sum of $41,567.20, and

WHEREAS, City, pursuant to its right of election with respect thereto, and as embodied in City Resolution, passed by the unanimous vote of the City Council on April 26, 1934, has elected to have Carolina Power & Light Company pay to City the said sum of $41,567.20, and

WHEREAS, The City desires that the Company make such payments immediately rather than after the substitution of motor buses for street railway cars, and is willing, in consideration thereof, to relieve and discharge said Company from and after the date on which said payment is made, from all liability, obligation or duty imposed or arising out of the terms and provisions of the Company's street railway franchises or either of them, to pave, re-pave, repair or otherwise maintain any portion of any of the streets of the City, and

WHEREAS, The Carolina Power and Light Company has indicated its willingness to comply with the wishes of the City with respect to the immediate payment of said sum of $41,567.20.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

(1) That, notwithstanding the time of payment fixed in the contract dated April 24, 1934, between the City of Asheville and the Carolina Power and Light Company, the City hereby requests that said Company make immediate payment to City of the said sum of $41,567.20, the amount set forth in Section III of the aforesaid contract, and that payment when made shall be deemed and held to be the payment provided for under Section III of said contract.

(2) That, from and after the date on which said payment is made to City pursuant to this resolution, Carolina Power and Light Company shall be and it is hereby forever released and discharged from any and all obligations, liabilities or duties imposed by or in any manner arising out of the terms and provisions of said Company's street railway franchises, or either of them, to thereafter pave, repave, repair or otherwise maintain any portion of any of the streets of City, or to bear the expense thereof, whether during the operation of street railway cars under said franchises, or during the operation of buses thereunder, except that the Company shall repair any injury or damage to streets caused by the Company's neglect due to the operation of street cars.

I move the adoption of the foregoing resolution.

Jack Westall
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this the 17th day of May, 1934

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

CITY

Councilman Little reported to the Council that a committee consisting of the Corporation Counsel, the City Manager, Councilman Baumberger and himself had recently employed Mr. J. W. Pless to do certain brief work in connection with the case of American Savings Bank vs. The City of Asheville et als, and that after said work was completed a motion on behalf of the City and demurrers on behalf of the other defendants had been filed in the case now pending in the U. S. District Court. He further reported that the case was likely to be set for argument on the pleas at any time.

A report from the Assistant Corporation Counsel in regard to petition from R. E. Workman that he be relieved from posting bond required by the city ordinance was read. Mr. Cocke reported that until this ordinance was amended Mr. Workman will have to comply with

On motion, adjourned.

Mayor

City Clerk

Thursday, May 24, 1934 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, and Assistant Corporation Counsel Philip C. Cocke, Jr. The minutes of the previous meeting were read and approved.

MARKET HOUSE-CIVIC THEATRE

A communication from the President of Welcome to Asheville, Inc., explaining how improvements could be made to the market house to convert it into a civic theater and the request that when these improvements have been completed this theater be leased to Welcome to Asheville, Inc., was read to the Council.

Councilman Westall moved, seconded by Councilman Miller, that the Mayor appoint a committee, including the City Manager, to look into this matter and make recommendations. This motion carried, and Mayor Wamboldt appointed on this committee, Councilmen Westall, Little and Miller and the City Manager.

It was moved by Councilman Miller, seconded by Councilman Westall that action on Ordinance #209, entitled An Ordinance providing for qualifications as conditions precedent for licensing bus and taxi-cab drivers; the proper maintenance of busses and taxi-cabs; and authority to the City Manager to regulate certain motor vehicle traffic, be deferred until the next meeting. This motion carried unanimously.

TRAFFIC ORDINANCE

Councilman Crow reported the Traffic Ordinance is ready for consideration and asked that it be placed on the calendar for its first reading at the next meeting.

WATER ORDINANCE

Councilman Baumberger offered a Water Ordinance to be placed on calendar for consideration at the next meeting.

RESOLUTION-DEPOSIT MONEY

A resolution instructing the City Manager to deposit certain moneys received from the Carolina Power and Light Company in a special fund in the Wachovia Bank and Trust Company in the City of Asheville was on motion of Councilman H. G. Brookshire, seconded by Mayor Wickes Wamboldt unanimously adopted.

A RESOLUTION INSTRUCTING THE CITY MANAGER TO DEPOSIT CERTAIN MONEYS RECEIVED FROM THE CAROLINA POWER AND LIGHT COMPANY IN A SPECIAL FUND IN THE WACHOVIA BANK AND TRUST COMPANY IN THE CITY OF ASHEVILLE.

WHEREAS, a resolution was passed at the last meeting of this Council requesting the Carolina Power and Light Company to pay to the City of Asheville the sum of $41,567.20, according to an agreement in connection with changing street cars to buses; and

WHEREAS, it being thepurpose of this Council to use the above mentioned money for covering over the Carolina Power and Light Company car tracks abandoned in the above change; and

WHEREAS, it is the purpose of this Council to use this money for the above mentioned purpose before any of same can be used for any other purpose:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager is hereby instructed to deposit the amount of $41,567.20 on interest in the Wachovia Bank & Trust Company in the City of Asheville in a special fund for the purpose of covering the street car tracks so far as is advisbale and for paving streets, as soon as he received said sum from the Carolina Power and Light Company.

Be it further resolved by the City Council of the City of Asheville that this money above mentioned be used for the purpose of covering the street car tracks, or the necessary portion thereof, when the same are abandoned by the Carolina Power & Light Company before it can be used for any other street paving purpose.

I move the adoption of the foregoing resolution.

SECONDED BY: H. G. Brookshire COUNCILMAN
Wickes Wamboldt COUNCILMAN

Read, approved and adopted, this the 24th day of May, 1934.

APPROVED AS TO FORM:
Philip C. Cocke Jr
ASSTCORPORATION COUNSEL

Wickes Wamboldt MAYOR
E. G. Thompson CITY CLERK

It was moved by Councilman Jack Westall, seconded by Councilman John E. Baumb that A resolution authorizing and instructing the Mayor of the City of Asheville to en into a contract for the City of Asheville with E. D. Latta, Jr., executor and trustee Estate of E. D. Latta, for the purpose of perfecting the proposed opening and widening Biltmore Avenue be adopted.

Councilman Baumberger moved, seconded by Councilman Boyd, that the rules be suspended and the resolution voted on. This motion carried unanimously. The origin motion was then voted on and the resolution declared adopted unanimously.

A RESOLUTION AUTHORIZING AND INSTRUCTING THE MAYOR OF THE CITY OF ASHEV TO ENTER INTO A CONTRACT FOR THE CITY OF ASHEVILLE WITH E. D. LATTA, JR EXECUTOR AND TRUSTEE OF THE ESTATE OF E. D. LATTA, FOR THE PURPOSE OF PERFECTING THE PROPOSED OPENING AND WIDENING OF BILTMORE AVENUE.

WHEREAS, it has been brought to the attention of the Council of the Cit Asheville that the estate of E. D. Latta is deonating certain strips of land on Biltmore Avenue for the purpose of opening and widening same; and

WHEREAS, it becomes necessary for the City of Asheville to enter into a contract with E. D. Latta, Jr., executor and trustee of the estate of E. D. Latta and

WHEREAS, in order to complete the work now being carried on in the pro opening and widening of Biltmore Avenue it becomes necessary and essential for sa contract to be in force:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEV

That the Mayor is hereby authorized and instructed to enter into and si a contract with E. D. Latta, Jr., executor and trustee of the estate of E. D. Lat a copy of which contract is attached to this resolution.

I move the adoption of the foregoing resolution.

SECONDED BY Jack Westall COUNCILMAN
John E. Baumberger Councilman

Read, approved and adopted, this the 24th day of May, 1934.

Wickes Wamboldt Mayor
E. G. Thompson City Clerk

APPROVED AS TO FORM:
Philip C. Cocke Jr.
Asst. Corporation Counsel.

STATE OF NORTH CAROLINA)
BUNCOMBE COUNTY)

The undersigned E. D. Latta, Jr., Executor and Trustee of the Estate of E. Latta, does by these presents and in consideration of the undertakings of the Ci of Asheville hereinafter set forth and upon the specific condition that the City of Asheville shall carry out its said undertaking as hereinafter set forth, give grant and release unto the City of Asheville, for the purpose of a right of way order to widen Biltmore Avenue, all of that certain strip of land along the west fronts of Lots Nos. 23, 23¼, 313½ amd 314, sheet #6, Ward One, City of Asheville indicated on the City Engineer's Map #4-773, being thebasis of the jury report wh purports to have been adopted by the City Council of the said city on November said land being of a uniform depth of ten feet along the whole frontage of the s The said E. D. Latta, Executor and Trustee as aforesaid, does further remit and any rights he might have to receive, be awarded or collect any damage on account taking of theaforesaid strip of land for the aforesaid purposes.

And in consideration of the foregoing grant and release, the City of Ashevi hereby covenant and agree with the said E. D. Latta, Jr., Executor and Trustee o Estate of E. D. Latta, as aforesaid, as follows:

1. That there shall not be levied upon or sought to be collected against aforesaid lots of land any assessments whatsoever on account of any special bene which may accrue to the aforesaid lots of land by reason of the widening and imp of Biltmore Avenue and that any assessments which the City of Asheville and its ing body may have heretofore levied or attempted to levy against the said lots on account of such beneifts shall be remitted and cancelled of record and be of further force and effect.

2. That the building on the aforesaid Lot #313½ shall be cut back without to the said E. D. Latta, Jr., Trustee and Executor, so as to conform with the ea margin of the said Biltmore Avenue as widened and as indicated on the map above referred to by C. W. A. laborers or other competent workmen, and that, in raisi cutting back the said building front,

(a) The temporary inside partitions and other safety structures shall be made by the C. W. A. laborers or other competent workmen employed for that purpose in accordance with instructions and under the directionsof the said E. D. Latta, Jr., or his agent, so as to protect the goods, personal property and patrons of the tenant now occupying the said premises; and,

(b) The building front on the said lot shall be reconstructed by the C. W. A. laborers or other competent workmen employed for that purpose without expense to the said E. D. Latta, Jr., Executor and Trustee as aforesaid, but under his directions or the directions of his agent, so as to put back a building front with materials and workmanship of equal kind and quality as that now in place in the said building; provided, however, that if any question shall arise as to whether the building front is being or has been restored with equal quality or workmanship and materials, such question shall be finally arbitrated and determined by Dion A. Roberts, C.W.A. Foreman, R. L. Maynard, City Engineer, and one other person to be named by the said estate. It is understood that either the said E. D. Latta, Jr., Trustee and Executor, or his agent, shall inspect the said work of reconstruction during its progress from time to time and raise any questions as to the kind and quality of the workmanship and material being the progress of the work.

And in further consideration of the premises, the City of Asheville does hereby further covenant and agree with said E. D. Latta, Jr., Executor and Trustee aforesaid, that no charge or assessment shall be levied or placed against Lots Nos. 368, 369, 370, 371, 372 , and 373, being the properties belonging to the E. D. Latta estate, fronting on the easterly side of Biltmore Avenue immediately south of Eagle Street, on account of any benefits which have accrued or which may hereafter accrue to the said lots of land by reason of the widening and improvement of Biltmore Avenue and the accomplishment of the present widening and improvement project, and that any assessments heretofore, sought to be levied by the governing body of Asheville against the said lots of land by reason of its adoption of the jury's report on or about November 15, 1933, shall be, and the same hereby are, remitted and cancelled.

IN WITNESS WHEREOF, the said E. D. Latta, Jr., Executor and Trustee of the estate of E. D. Latta, has hereunto set his hand and seal, and the City of Asheville has caused this instrument to be duly executed in its name by its proper officers, all as of the 8th day of May, 1934.

.....(Seal)
Executor & Trustee of the estate
of E. D. Latta

ATTEST:

CITY OF ASHEVILLE

City Clerk

By.....
Mayor

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

Councilman Plott Boyd moved, seconded by Councilman Ernest H. Miller that Resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit (listed owner, W.B.Miller et ux Eleanor W.) be adopted.

It was moved by Councilman Little, Seconded by Councilman Miller voted on and unanimously carried, that the rules be suspended and the resolution be voted on at this meeting. The motion that the resolution be adopted was voted on and carried unanimously.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS,it appears to the City Council of the City of Asheville that on April 9, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by tax foreclosure suits for delinquent taxes for the year 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in the Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNED	LOTS	SHEET	WARD	BID IN BY
1999	W. B. Miller et ux Eleanor W.	116,117, and 118,	1	5	Central Investment Corporation
		240,241	2	5	Central Investment Corporation

WHEREAS, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, receipt of which was signed and returned by the post officer department to the tax department of the City of Asheville, said registered letter notifying the listed owner that the public sale was conducted on the above date and that theproperty was bid in as shown above; and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and,

WHEREAS, the required thirty days have expired and the said listed owner has not filed any objection to the sale; and,

WHEREAS, it appears from a report of the Tax Collector that the above property has been properly listed for taxes for the years 1928,1929,1930, 1931, and 1932.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be andhe is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on the 9th day of April, 1934, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent thereto as may be calculated by the proper tax officers together with cost of advertising, which amount is set forth in the deed.

I move the adoption of the foregoing resolution.

Plott Boyd COUNCILMAN

SECONDED BY: Ernest H. Miller COUNCILMAN

Read, approved, and adopted, this the 24th day of May, 1934.

Wickes Wamboldt MAYOR

E. G. Thompson CITY CLERK

APPROVED AS TO FORM:
Philip C. Coc ke Jr.
ASST CORPORATION COUNSEL

Mr. Baumberger reported the Committee appointed to investigate and report on the acquisition of the Campbell property for colored park were unable to report due to the absence of the City Manager, but would report at the next meeting.

Mr. Threlkeld reported the committee to investigate request of W. R. and L. Sprinkle for permit to operate bus line in the City would report at the next meeting.

Councilman Crow reported that many citizens were interested in installing a ornamental lighting system on the streets to be paved by Federal Government, namely, Merr Avenue, Biltmore Avenue and Broadway, and he made a motion which was seconded by Council Miller that the Mayor appoint a committee, including the City Manager, to confer with interested citizens regarding ornamental system for these streets. This motion carried and Mayor Wamboldt appointed Councilmen Crow, Brookshire and Boyd and the City Manager.

A communication signed "Caddies of the Muny" asking for relief from charges them for food provided to the caddies at the Municipal Golf Course, and the complaint of prices charged by the management at the Club House were on motion of Councilman Crow, seconded by Councilman Miller ordered referred to the City Manager.

On motion, adjourned.

Mayor

City Clerk

Thursday, May 31, 1934 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, James W. Little, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall, [illegible] Brackney. City Manager and Philip C. Cocke Jr., Assistant Corporation Counsel. The minutes of the previous meeting were read and approved.

The application of Golden D. Allen for license to operate billiard hall of 5 miniature tables at 12 Burton Street was on motion of Councilman Westall, seconded by Councilman Miller, unanimously ordered referred to the City Manager.

A communication from Mr. Herbert C. Allen asking that the names of Biltmore Avenue and Broadway be changed and suggesting the name of Biltmore Road, North and South, was read and on motion of Councilman Miller, seconded by Councilman Boyd, unanimously ordered referred to the City Manager for recommendation.

A resolution instructing the City Manager to deposit certain moneys received from the Carolina Power and Light Company in a special fund in the Wachovia Bank and Trust Company and/or the First National Bank and Trust Company in the City of Asheville, was on motion of Councilman H. G. Brookshire, seconded by Mayor Wickes Wamboldt, unanimously adopted.

A RESOLUTION INSTRUCTING THE CITY MANAGER TO DEPOSIT CERTAIN MONEYS RECEIVED FROM THE CAROLINA POWER AND LIGHT COMPANY IN A SPECIAL FUND IN THE WACHOVIA BANK AND TRUST COMPANY AND/OR THE FIRST NATIONAL BANK AND TRUST COMPANY IN THE CITY OF ASHEVILLE.

WHEREAS, the City of Asheville having received a check for $41,567.50 from the Carolina Power and Light Company, according to an agreement in connection with changing street cars to buses; and

WHEREAS, it being the purpose of this Council to use the above mentioned money for covering over the Carolina Power and Light Company car tracks abandoned in the above change; and

WHEREAS, it is the purpose of this Council to use this money for the above mentioned purpose before any of same can be used for any other purpose:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager is hereby instructed to deposit the amount of $41,567.50 in the Wachovia Bank & Trust Company and/or the First National Bank and Trust Company in the City of Asheville in a special fund for the purpose of covering the street car tracks so far as is advisable and for paving streets.

Be it further resolved by the City Council of the City of Asheville that this money above mentioned by used for the purpose of covering the street car tracks, or the necessary portion thereof, when the same are abandoned by the Carolina Power & Light Company before it can be used for any other street paving purpose.

I move the adoption of the foregoing resolution.

H. G. Brookshire
COUNCILMAN

SECONDED BY: Wickes Wamboldt
COUNCILMAN

Read, approved and adopted, this the 31st day of May, 1934

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke jr.
ASST. CORPORATION COUNSEL

ELECTRICAL EXAMINATION BOARD
SOL NAIMAN & R. D. CAMPBELL

A communication from C. T. Johnson, Electrical Inspector, recommending the re-appointment of Sol Naiman and R. D. Campbell to serve on the Electrical Examination Board for the coming year was read.

A motion made by Councilman Miller, seconded by Councilman Rainey that the recommendation of the City Electrical Inspector be adopted, carried unanimously.

The following report of committee on location of park for colored people was read:

"Your committee appointed to investigate the recommendations of the City Planning Commission regarding establishment of a park for colored people on the Campbell property, beg to report.

That the committee would not recommend the exchange offer for the reason we believe the property of the city is of much greater value than the property offered by Mrs. Campbell. However, the committee does believe it may be possible to reach an agreement provided it is thoroughly satisfied that the property of Mrs. Campbell is the best location for such a park. The committee doubts that this is the best location and prefers that the City Manager look into the feasibility of locating such a park in other parts of the city.

Your committee is heartily in sympathy with the advisability of having a park for colored people. It is simply a matter of location and financial ability to consummate the project.

Respectfully submitted John E. Baumberger
H. W. Rainey "

Councilman Little moved, seconded by Councilman Boyd, that the recommendation of the committee be adopted. This motion carried unanimously.

Mr. Mackney was asked to request the State Highway Department and the paving contractors not to block off more of Merrimon Avenue than is necessary while paving or that they pave only one side at a time.

Dr. L. W. Elias, on behalf of the Buncombe County Medical Society, requested that the ordinance requiring fumigation with formaldehyde after contagious diseases, be discontinued and a more modern measure be substituted.

Councilman Brookshire moved, seconded by Councilman Miller that the matter be referred to the Corporation Counsel, the City Health Officer and the City Manager, to draw an ordinance and submit to the Council. Councilman Crow moved, seconded by Councilman Miller that Dr. Brookshire be added to the Committee. Unanimously carried.

On motion of Councilman Crow, seconded by Councilman Miller the request of Capt. R. L. Fitzpatrick that the City appropriate $100.00 toward transportation expenses of the Buncombe County Confederate Veterans who will attend the reunion at Chattanooga [illegible] was unanimously granted.

Ordinance #209- An ordinance providing for qualifications as conditions precedent for licensing bus and taxi-cab drivers; the proper maintenance of busses and taxi-cabs and authority to the City Manager to regulate certain motor vehicle traffic was presented for consideration on its third reading.

A motion made by Councilman Baumberger, seconded by Councilman Westall that Ordinance #209 be amended as follows carried unanimously:

Amend Section 1 by striking out the words "satisfactory evidence of good health and insert in lieu thereof the following: "Evidence that the applicant is free from any contagious or infectious disease, impaired hearing or eyesight which is not corrected by glasses".

Councilman Baumberger moved that the ordinance be amended as follows: Amend Section 5 by striking out the words "decrease, or suspend temporarily" after the words "to increase" in the 4th line. This motion was seconded by Councilman Miller and carried unanimously.

Mayor Wamboldt moved, seconded by Councilman Crow that Ordinance #209 be amended by adding a new section as follows:

Section 7. It is not the purpose of this ordinance to create or to encourage the creation of a taxicab monopoly, and thus deprive our people of the benefits of competition, but merely to require that taxicabs be operated and maintained in a manner to promote public safety. This motion carried unanimously.

Ordinance #209, as amended was then voted on its third and final reading, voting "Aye" Councilmen Baumberger, Crow, Little, Miller, Rainey, Wamboldt and Westall, voting "No" Councilmen Boyd and Brookshire, the ordinance was declared adopted to become effective upon its institution on the 15th day of June, 1934.

ORDINANCE #209

AN ORDINANCE PROVIDING FOR QUALIFICATIONS AS CONDITIONS PRECEDENT FOR LICENSING BUS AND TAXI-CAB DRIVERS; THE PROPER MAINTENANCE OF BUSES AND TAXI-CABS; AND AUTHORITY TO THE CITY MANAGER TO REGULATE CERTAIN MOTOR VEHICLE TRAFFIC.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

SECTION 1. That, in addition to the requirements now provided as a condition precedent to the granting of chauffeur's licenses to persons for the operation of motor vehicles in the streets of Asheville, all persons who may apply for bus or taxi-cab drivers licenses after the date that this ordinance becomes effective shall be required further to furnish:

(1) Evidence that the applicant is free from any contagious or infectious disease, impaired hearing or eyesight which is not corrected by glasses.

(2) Satisfactory knowledge of traffic laws.

(3) Satisfactory evidence of good character.

SECTION 2. That the City Manager is hereby authorized and empowered to appoint [illegible], at a salary not exceeding one hundred ($100.00) dollars per month, who shall be paid out of the inspection fees collected under this ordinance; to:

(a) Give examinations to applicants for licenses, as hereinbefore provided; and

(b) Examine and test taxi-cabs and motor bus vehicles in the City of Asheville, so as to compel said vehicles to be maintained in accordance with the requirements of State Law and the City Ordinance.

SECTION 3. That every car which shall successfully pass the examination, fulfilling the requirements of the State Law and the Ordinances of the City of Asheville, as to equipment, safe condition of brakes, lights, and all other requirements, shall be issued a certificate, and the owner of such cars shall cause such certificate to be posted at some conspicuous place on said car, as may be determined by the City Manager, or his duly authorized agent. Any car failing to pass said examination, or inspection, and for which no certificate shall be issued, or for which a previously executed certificate shall be revoked, shall not thereafter be operated until it shall have been repaired in such manner as to satisfy the City Manager, or his duly authorized agent, that it fully meets all the requirements of the State Law and City Ordinance regarding the physical condition of motor vehicles, and to the owner of which shall have been issued a certificate to such effect.

For each inspection of each car, whether bus or taxi-cab, there shall be charged and collected, by the appointee of the City Manager, the sum of twenty-five (25¢) cents; however, no bus or taxi-cab operator shall be required to pay a total of more than three ($3.00) dollars per year for such inspection.

SECTION 4. The inspections of motor bus and taxi-cab vehicles shall be commenced as soon as practicable after this ordinance shall become effective, and the licensing of chauffeurs to operate busses and taxi-cabs in the City of Asheville shall be done in accordance with this ordinance at and upon the expiration of any chauffeurs' licenses now held by bus or taxi cab drivers or chauffeurs.

SECTION 5. Subject to the approval of Council to be first obtained the City Manager is hereby authorized and empowered to supervise, fix and designate passenger stations or stopping places for all motoe busses; to fix, prescribe, and determine routes of travel for such motor busses; to increase bus service upon any fixed route; to fix, prescribe and determine the number of cars or vehicles operated as busses, which shall be used on any route, and the number of persons, firms, or corporations which shall be permitted to operate taxi-cabs or fleets of taxi-cabs, within or from the city, and the necessity and convenience of the public with respect thereto and to grant permits for the operation of motor vehicles for the transportation of passengers within the city of Asheville, and to prescribe the kind and character of application which should be made to obtain said permits, which permits shall be effective for not more than one year from the date of issuance, and shall not be transferable, and shall be only for the vehicles mentioned in the permit, and said permit shall be posted in such vehicle on the inside front thereof, or a card, showing the number of said permit and the name of the operator of the car, instead of the posting of said permit, as aforesaid.

SECTION 6. Any person who shall violate any of the terms of this ordinance shall, upon conviction, be subject to a penalty of ten ($10.00) dollars for each and every such offense, and the license and or permit in any such instance may be revoked by the City Manager.

SECTION 7 It is not the purpose of this ordinance to create or to encourage the creation of a taxicab monopoly, and thus deprive our people of the benefits of competition, but merely to require that taxicabs be operated and maintained in a manner to promote public safety.

I move the adoption of the foregoing ordinance, this the 3rd day of May, 1934.

SECONDED BY: E. H. Miller COUNCILMAN
Joseph W. Little COUNCILMAN

Read, approved and adopted, this the 31st day of May, 1934, to become effective according to statute on the 15th day of June, 1934.

Wickes Wamboldt MAYOR

E. G. Thompson CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL.

City Manager, George L. Hackney, reported he had investigated the request of W. B. and L. H. Sprinkle, trading and doing business under the style of Beaverdam Bus Line for permit over routes described in their application and recommended that the permit be issued to December 31, 1934.

Councilman Miller moved, seconded by Councilman Westall, that the recommendation of the City Manager be adopted, This motion carried.

A motion made by Councilman Little, seconded by Councilman Westall, that action on the traffic ordinance be deferred until such time as the Council is ready to take it up again, carried unanimously.

Councilman Baumberger moved, seconded by Councilman Miller, that action of the ordinance be deferred until next meeting. This motion carried and the Clerk instructed to furnish each member of the Council with a copy of water ordinance.

Councilman Boyd submitted a report of the meeting of the North Carolina League of Municipalitis which he attended in Greensboro on May 28, and he recommended that the City of Asheville be represented at the Raleigh meeting on June 5. to consider the reduction of telephone rates in North Carolina and that Asheville join with other cities in an investigation in an effort to get telephone rates reduced in Asheville, provided the cost of such investigation does not exceed 2 cents per capita. which for Asheville would amount to $1,

A motion of Councilman Baumberger, seconded by Councilman Little that the City Manager, the Assistant Corporation Counsel and Councilman Boyd represent the City at the hearing on telephone rates to be held in Raleigh, June 5, carried unanimously.

Asheville, N. C. May 31st, 1934.

To the Honorable Mayor and City Council:

At your request, I attended the meeting of the North Carolina League of Municipalities, in Greensboro, on May 28th, in the Council Chamber of the City Hall. The following cities were represented: Greensboro, Burlington, Shelby, Wilmington, Salisbury, Goldsboro, Asheville and Winston-Salem.

The meeting was presided over by Mr. Andrew Joyner, President of the League, and at that time, Mr. Mark Wolff, Public Utilities Consultant of Chicago, explained to the meeting, his ideas andplans, as to how best to get reduction in the telephone rates in North Carolina, and after considerable discussion, the Chairman appointed a Committee composed of Mayor Horner of Burlington, City Manager Hollowell of Goldsboro, Mayor Chatham of Winston-Salem, Mayor Harrison of Greensboro, Mayor Davis of Salisbury, and City Manager Joyner of Greensboro, as Chairman, to meet with Mr. Mark Wolff, and find out the very best price that they could get him to agree to make this investigation for, and he stated that the maximum would not be more than $8,000.00, and that if we get cities representing 150,000 population, to go together on this proposition, that he did not think that the cost would exceed two cents per capita, and that was his very proposition. Then the Committee was requested to confer with Mr. Stanley Winborne, Chairman of the North Carolina Utilities Commission, at Raleigh.

I was asked to serve on this Committee, but it would have taken an extra day's and an extra trip to Raleigh, and I felt that the representatives from cities more centrally located, could handle it just as well, so I asked that some one else be appointed in my place.

At the meeting of the Committee, Patrick Healy, Executive Secretary of the League read a letter from Mr. John Bauer, of New York, Director of the American Public Utilities Bureau, whom he had visited the week before, and had conferred with him, in regard to the telephone investigation. The Committee was very much impressed with this letter, and have asked that Mr. Bauer meet with them in Raleigh at 10:00 o'clock on June 1st, for conference, and to get his proposition, and then the Committee will decide on which they prefer;;either Mr. Wolff or Mr. Bauer, to handle the investigation, if the city decide to go forward with it. After this meeting with Mr. Bauer, the Committee is to confer with Mr. Stanley Winborne, while in Raleigh.

It was the consenses of opinion at the meeting in Greensboro on the 28th, that the City should be represented at the Raleigh meeting on June 5th, and they thought it advisable to have the Corporation Counsel present at that time.

It is my belief that it will be necessary to get a number of cities in North Carolina to join this investigation, in order to obtain the best results and it is my recommendation that our City join with other cities in this investigation, in an effort to get telephone rates reduced in the City of Asheville, provided that a number of cities with population amounting to at least 150,000, go into the proposition, at a cost, if necessary, not to two cents per capita.

Respectfully submitted,

It was moved by Councilman [illegible], seconded by Councilman [illegible], that the action of Councilman Boyd to authorize the City to employ an expert [illegible] adopted and Councilman Boyd [illegible] in the affirmative, except Councilman Little, who voted "No".

RESOLUTION AUTHORIZING MAYOR [illegible] WITH THE UNIVERSAL LIQUIDATING COMPANY

A resolution authorizing the Mayor of Asheville to sign a contract with the Universal Liquidating Company was on motion of Councilman Jack Westall, seconded by Councilman [illegible], unanimously adopted.

A RESOLUTION AUTHORIZING THE MAYOR OF ASHEVILLE TO SIGN A CONTRACT WITH THE UNIVERSAL LIQUIDATING COMPANY

WHEREAS, in order to perfect the proposed opening and widening of Biltmore Avenue and Broadway it becomes necessary for the City of Asheville to enter into a contract with the Universal Liquidating Company, a corporation created and existing under and by virtue of the State of Delaware; and

WHEREAS, portion of the building at #2 North Pack Square now owned by the Universal Liquidating Company must be altered, repaired and reconstructed; and

WHEREAS, in order to carry this proposed project through it becomes necessary for certain funds to be paid out; and as soon as the total sum of $2800.00 is paid or properly pledged into the hands of the City Manager by certain interested citizens of the City of Asheville, he is hereby instructed to carry out said contract:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville is hereby instructed to sign a contract with the Universal Liquidating Company in order to complete the proposed opening and widening of Biltmore Avenue and Broadway, a copy of said contract being [illegible] to attached and made a part of this resolution.

I move the adoption of the foregoing resolution.

SECONDED BY: Jack Westall COUNCILMAN
H. W. Rainey COUNCILMAN

Read, approved, and adopted, this 31st day of May, 1934

Wickes Wamboldt MAYOR
E. G. Thompson CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
ASST CORPORATION COUNSEL.

CONTRACT

STATE OF NORTH CAROLINA,
COUNTY OF BUNCOMBE.

WHEREAS, UNIVERSAL LIQUIDATING COMPANY, a corporation created and existing under and by virtue of the laws of the State of Delaware, is the owner of that property situate at the intersection of the Eastern margin of Broadway and the Northern margin of Pack Square, in the City of Asheville, State of North Carolina, which property is known as Nos. 2, 4, and 6 North Pack Square; and

WHEREAS, the CITY OF ASHEVILLE is desirous of widening the Eastern margin of Broadway from North Pack Square to the South margin of College Street; and

WHEREAS, the Universal Liquidating Company is willing to grant unto the City of Asheville an easement for street purposes through and over a strip of land eight feet in width extending from North Pack Square to the South margin of College Street, said strip of land hereinafter being more particularly described by metes and bounds; and

WHEREAS, in consideration of the donation by Universal Liquidating Company to the City of Asheville of an easement for street purposes over the said eight foot strip of land, the City of Asheville agrees to pay unto the said Universal Liquidating Company [illegible] consideration and to demolish that part of the building at No. 2 Pack Square situate on the said eight foot strip of land and to alter and reconstruct the whole of the said building located at No. 2 North Pack Square and to permit the said Universal Liquidating Company to alter, repair and reconstruct the buildings situate at Nos. 4 and 6 North Pack Square.

NOW, THEREFORE, in consideration of the premises and the mutual promises hereinafter set out, the said City of Asheville, a municipal corporation of North Carolina, hereinafter designated as the "CITY", and Universal Liquidating Company, a Delaware Corporation, hereinafter designated as the "COMPANY", contract and agree each with the other as follows:

W I T N E S S E T H :

1. The COMPANY hereby agrees to grant a perpetual easement unto the CITY for street purposes through and over that certain strip of land situate in the City of Asheville, State of North Carolina, eight feet in width extending from North Pack Square to the Southern margin of the sidewalk in the Southern margin of College Street, being more particularly described as follows:

BEGINNING at a point where the North margin of North Pack Square intersects the Eastern margin of Broadway at the Southwest corner of the building now situate there and runs thence with the said margin of Pack North 72 deg. 6' East a distance of 8 feet; thence North 17 deg. 9' West 67.45 feet to a stake in the Southerly margin of East College Street; thence with the said margin of the said East College Street South 72 deg. 34' West 8 feet to the intersection of the Southern margin of East College Street with the Eastern margin of Broadway; thence with the said margin of Broadway South 17 deg. East 67.60 feet to the point of the BEGINNING.

The conveyance of the easement over the described land to be without warranty or covenants of title by the COMPANY.

2. That for and in consideration of the grant by the COMPANY of the easement over land hereinbefore described, the CITY agrees to pay unto the COMPANY the sum of Three Thousand, Two Hundred ($3,200.00) Dollars in cash upon delivery of the said deed conveying the said easement to the CITY.

3. That for and in consideration of the grant of the easement over the lands hereinbefore described by the COMPANY to the CITY, the CITY agrees to cause that part of the building now located at No. 2 North Pack Square, which covers the lands over which the easement is granted, to be removed and the Western wall and front of said building to be reconstructed and to cause the third story of the said building to be removed and the roof replaced and the said building to be altered and repaired all in accord with pan No. N-10, and accompanying specification prepared by S. Grant Alexander, Architect, which saidpans and specifications are hereby made a part of this contract. All of said work to be done in such manned that the reconstructed building shall comply with the building, electrical and firm, code, regulations, ordinances and statutes of the City of Asheville, and State of North Carolina as the same now exist.

4. That as a further consideration for the grant of the easement by the COMPANY to the CITY, as hereinbefore set out, the CITY agrees to furnish without cost to the COMPANY building permits, authorizing the COMPANY to repair, alter and/or reconstruct those two building situate on North Pack Square, in the City of Asheville, known as Nos. 4 and 6 North Pacj Square, in accord with the plans and specifications of S. Grant Alexander, Architect, which plans are shown on the blue prints of the same hereinbefore referred to as plans for remodeling of No. 2 North Pack Square, and which specifications are herto attached. The specifications and the plans insofar as the same refer to the buildings situate at Nos. 4 and 6 North Pack Square, are specifically made a part of this contract, it being distinctly understood and being made a part of the consideration of this Agreement that the CITY shall furnish the COMPANY with proper permits for the said work and/or proper written assurance from all necessary public officers that the alterations and repairs contemplated in said plans and specifications are in accord with the building, fire and electrical, code and all of the ordinances of the City of Asheville, and the Statutes of North Carol

5. The CITY contracts and agrees with the COMPANY that the remodeling of the building at No. 2 North Pack Square shall be commenced on or before sixty days from date and shall be continued without interruption until the same is completed without cost to the COMPANY, and that the said building shall be free and clear of any workman's, materials furnisher's or mechanic's liens, and the CITY contracts and agrees to hold the COMPANY harmless from any damages or claims of any nature whatsoever arising out of or in any way connected with the work on said building.

IN WITNESS WHEREOF, the CITY has caused these presents to be signed in its name by its Mayor, and its corporate seal to be affixed, the same to be attested by its City Clerk, all authorized by resolution of the City Council; and the COMPANY has caused these presents to be signed by its President, its corporate seal to be affixed the same to be attested by its Secretary, all by authority of its Board of Directors duly given.

This the _____day of _____, 1934.

CITY OF ASHEVILLE
By_____
MAYOR

ATTEST:

_____
CITY CLERK

UNIVERSAL LIQUIDATING COMPANY
By_____
PRESIDENT

ATTEST:

_____
SECRETARY

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

This is to certify that on the ____day or May, 1934, before me personally came _____with whom I am personally acquainted, who being by me duly sworn says that he is City Clerk of the City of Asheville, State of North Carolina and that Wickes Wamholdt is the Mayor of the said City of Asheville, a municipal

corporation described in and which executed the foregoing instrument, that he knows the corporate seal of the said City of Asheville; that the seal affixed to the foregoing instrument by said Corporation was so affixed by the City Clerk of said City, and that the name of the City of Asheville was subscribed thereto by the said Mayor, and that the said Mayor and City Clerk subscribed their names thereto, and the said common seal was affixed, all as authorized by a resolution of the City Council, and that the foregoing instrument is the act and deed of the said City of Asheville.

WITNESS my hand and Notarial Seal, this _____day of May, 1934.

_____
Notary Public, [illegible]
[illegible]

My commission expires

_____

STATE OF MARYLAND
CITY OF BALTIMORE.

This is to certify that on the _____day of May, 1934, before me personally came Theodore Gould, with whom I am personally acquainted, who being by me duly sworn says that he is the President and Thelma H. Elliott is the Secretary of the Universal Liquidating Company, the Corporation described in and which executed the foregoing instrument; that he knows the common seal of said Corporation; that the seal affixed to the foregoing instrument is said common seal, and that the name of the Corporation was subscribed thereto by the said President, and that the said President and Secretary subscribed their names thereto, and said common seal was affixed, all by order of the Board of Directors of the said Corporation, and that the said instrument is the act and deed of said Corporation.

WITNESS my hand and Notarial Seal, this the _____day of May, 1934.

_____
Notary Public, City of Baltimore
State of Maryland.

My commission expires

_____

[illegible]

A report of National Conference on Street and Highway Safety, [illegible] by City Manager, Geo. L. Hackney and Chief of Police, [illegible] May 23-25, was read by Mr. Hackney.

[illegible]

The City Manager reported he had investigated the complaint [illegible] at the municipal golf course and found that there was no reason for complaint and [illegible] reported that he felt the method of managing the club house was the best for the city.

[illegible]

The following motion was made by Councilman J. [illegible], seconded by Councilman E. H. Miller: That it is the sense of this Council that the City charter [illegible] city employees from participating in the approaching primary of June 2nd, and they should not be deprived of exercising their political rights guaranteed to them by the Constitution of the United States and the Constitution of the State of North Carolina.

Councilman Little spoke in favor of the motion. Mayor Wamholdt ruled it was out of order because it put an interpretation upon the city charter which was not within the province of the Council.

There being no further business, the meeting adjourned.

Wickes Wamholdt
Mayor

[illegible]
City Clerk

Thursday, June 7, 1974 4:30 P. M.

[illegible] regular meeting; Mayor Hamboldt presiding. Present: [illegible], Boyd, C. G. Brookshire, Charles F. Crow, Joseph M. Little, [illegible] Miller, Vicky Hamboldt and Jack Westall, City Manager, Geo. L. Hackney, and Philip D. Cocke, Jr., Assistant Corporation Counsel.

The minutes of the previous meeting were read and approved with the following correction: That a report of a telephone vote be read: "that the recommendation of Councilman Boyd to authorize the City to employ an expert at a cost not to exceed $1,000 be adopted."

On motion of Councilman Little, seconded by Councilman Westall, the invitation of A. J. Burkett, Chief of Fire Department, to the members of the Council to attend services at the Fire Department on next Sunday morning, which is designated as North Carolina Firemen Memorial Sunday, was accepted.

Councilman Westall nominated Mr. C. F. Blackstock as Corporation Counsel. This nomination was seconded by Councilman Crow.

Councilman Little nominated Mr. A. S. Barnard.

A vote was taken which showed Councilmen Bumberger, Boyd, Brookshire, Crow, Hamboldt and Westall voting for Mr. Blackstock; Councilman Little voting for Mr. Barnard and Councilman Miller not voting. Mr. C. F. Blackstock was declared elected as Corporation Counsel.

A motion was made by Councilman Little, seconded by Councilman Miller that Mr. Philip D. Cocke, Jr. be paid $300.00 additional for extra work done by him as assistant corporation counsel, which motion on a vote carried unanimously.

A motion of Councilman Miller, seconded by Councilman Westall that A resolution authorizing George L. Hackney, Director of Finance of the City of Asheville, to execute a lease to C. G. Fuller be adopted was offered.

Councilman Boyd moved, seconded by Councilman Little, that the matter be referred to a committee to study the lease and report back to the Council. This motion carried, and Mayor Hamboldt appointed Councilmen Boyd, Little and Westall and City Manager, Geo. L. Hackney on this committee.

Councilman Bumberger offered a resolution to authorize the City Manager to furnish city water to worthy indigents without charging full compensation for consideration of the Council at the next meeting.

A RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE CITY OF ASHEVILLE IN THE SUM OF NOT EXCEED TEN THOUSAND ($10,000) DOLLARS.

WHEREAS, it now appears that the City of Asheville is due to pay to the County Board of Directors of Buncombe County a sum of approximately four thousand ($4,000) dollars, through the Board of Financial Control, in order to [illegible] its proportional share of the funds necessary in making the tax [illegible] for the fiscal year 1973-1974; and,

WHEREAS, it now appears that insufficient tax revenues will be available [illegible] the payrolls of the City of Asheville during the next thirty (30) days; and,

WHEREAS, the Board of Financial Control of Buncombe County has certain funds which will eventually be payable to the City of Asheville, which amount now totals approximately ten thousand ($10,000) dollars; and,

WHEREAS, the City of Asheville has no other available funds with which to pay its proportionate share of the cost of making the tax assessment records of Buncombe County and it is necessary that it borrow such amount from the Board of Financial Control.

NOW, THEREFORE, [illegible]

That the [illegible] negotiate with the [illegible] Board of Financial [illegible] ten thousand ($10,000) [illegible] be and they [illegible] of one thousand ($1,000) [illegible] thousand ($10,000) dollars [illegible] and to be [illegible] by the [illegible] Council.

[illegible] to pursue [illegible] Board [illegible]

I move the [illegible]

Read, approved [illegible] June, 1974.

[illegible]

ATTORNEY AT LAW:
Philip D. Cocke, Jr.
ASST. CORPORATION COUNSEL

[illegible]

It is moved by Council[illegible] of the Revenue Ordinance be [illegible] Councilman Bumberger, Little [illegible]

Mr. Hackney reported [illegible] license to operate billiard [illegible] zones in which billiard [illegible] there is no possibility of granting [illegible]

BILTMORE AVENUE & BROADWAY [illegible]

Mr. Hackney made a report [illegible] Biltmore Avenue and Broadway [illegible] to draft an ordinance at this time, [illegible] contracts out with the State, and [illegible] streets embodied in the contract, and to [illegible] matter be taken up in a serious way [illegible]

It was moved by Councilman [illegible] and recommendation of the City [illegible]

[illegible]

City Manager, Geo. [illegible] tion in regard to a park for [illegible] recommended the establishment [illegible] and reached the very unanimous [illegible] between [illegible] Murray in [illegible] occupied by a good people.

It was moved by Council[illegible] carried, that the City Manager [illegible] the proposition.

Mr. T. B. Cathey, [illegible] against the establishment of [illegible]

Simple justice to a [illegible] planning for the future, [illegible] present situation, if possible [illegible] of our community.

The City has made some provisions for the [illegible] past we have acquired through [illegible] cated and developed for this [illegible] sincerely hope that we can [illegible] fails to provide recreational [illegible] to discriminate in the [illegible] duty to be [illegible]

virtually nothing has been done for the colored children outside of such facilities as the school grounds themselves provide, and these school properties are naturally of no real recreational use except to the pupils of the schools. There is no where in the city a sizable area of ground which has been dedicated and developed for the colored citizens, not to mention the colored adults of the city.

I do not attribute this failure to provide play ground for the colored [illegible] exclusive elimination on the part of the City. It just so happens that [illegible] the colored community [illegible] from the [illegible] to [illegible] them. [illegible] moment [illegible] a most auspicious time for [illegible] which may be in the request [illegible] in full [illegible] Administrator, [illegible] strong [illegible] problem.

[illegible] the City [illegible] but there [illegible] it during the City [illegible] any more [illegible] building [illegible] of [illegible] the children of [illegible]

The Negro Welfare Council is doing a truly remarkable work. It has an [illegible] and solid standing in local circles. But it is making bricks without straw. It is trying to [illegible] with [illegible] and [illegible] to look after [illegible] The same Welfare Council has on [illegible] which it can call its own. It must carry on its activities [illegible] the condition [illegible] permit.

It [illegible] some institutional facilities [illegible] colored people. Only [illegible] highly developed Y.M.C.A. [illegible] The Red Cross [illegible] for them. The Negro [illegible] Council must [illegible] the colored children [illegible] and [illegible] for the [illegible]

If the City can provide the land, it might be able through Federal [illegible] to finance the development. However this may be, I think the City [illegible] through trading property owned by the City on an [illegible] basis, [illegible] they [illegible] the colored [illegible]

[illegible] Commissioner [illegible] by the Council. This [illegible] that this [illegible] might [illegible] I have given a good [illegible] both from the [illegible] and from the [illegible] very [illegible] to be found to the [illegible] of on [illegible] it. But, the [illegible] of the most that this site has [illegible] in that visibility [illegible] their [illegible] petition signed by [illegible] property [illegible] owners [illegible] road for [illegible] for colored [illegible] the need [illegible] the [illegible] number of [illegible] parties [illegible] I cannot recommend the [illegible]

[illegible] another piece of property that is available, which I think is worth of very serious consideration. It lies between Decatur and Davis Street [illegible] very edge of the colored area; bounded on three sides by improved [illegible] on the end by the road that crosses Beaucatcher Mountain. It [illegible] Mountain Street colored property, [illegible] [illegible] piece of level ground, admirably [illegible] and [illegible] all counts.

Well, it would be better if the money were already, it would, of course [illegible] and really [illegible] of [illegible] especially with tennis courts, basketball courts, [illegible] The City is eminently entitled [illegible] to.

June 7, 1954 George L. Mooney, City Manager.

Ordinance - Plumbing.

An ordinance to [illegible] preservation of the public [illegible] en emergency ordinance [illegible] by Councilman [illegible] by Councilman [illegible] Councilman Boyd withdrew his [illegible] after the question has been [illegible] Council.

Mr. [illegible] Wilson, representing [illegible] in the present plumbing ordinance.

A motion made by Councilman [illegible] ordinance be referred to a [illegible] of [illegible] carried unanimously.

Milk Ordinance.

An Ordinance defining "milk" and certain "milk [illegible]", "[illegible]", "[illegible]" tion", etc., prohibiting the [illegible] requiring permits for the sale of milk and milk [illegible] farms and milk plants, the testing, grading, labeling, placarding, pasteurization, distribution, sale, and denaturing of milk and milk [illegible], the construction of future [illegible] of milk grades, the construction of future [illegible] ordinance, and the fixing of penalties. [illegible] by Mayor Dicks Hamboldt for [illegible].

Councilman Westall offered [illegible] action on the milk ordinance [illegible] seconded by Councilman Westall [illegible] to be heard on being put to [illegible].

Unanimously carried.

Mayor

[illegible] Council met [illegible] Councilman John [illegible] Baumberger, [illegible] Walker Tetzlaff and Jack [illegible] previously were [illegible]

[illegible]

The request of Mr. [illegible] reduction of water bills [illegible] election by [illegible]

[illegible]

Mr. [illegible] C. Jones [illegible] property fordeclosed [illegible] to get title to the [illegible]

Councilman Cropp moved, [illegible] the Corporation Counsel and [illegible] Attorney, City [illegible]

[illegible]

Councilman John B. Baumberger [illegible] resolution to authorize the City Manager [illegible] t[illegible] charging such compensation be [illegible].

Mr. Mooney reported [illegible] the Water Department to take [illegible] of this situation.

Councilman Miller moved, [illegible] the table until next meeting.

[illegible]

Councilman Brookshire [illegible] that the committee [illegible] the Plumbing Ordinance be amended [illegible] that action on this ordinance [illegible] carried [illegible] Councilman Westall, seconded by Councilman Boyd [illegible] report of the Committee be adopted, [illegible] carried.

[illegible]

[illegible] Council [illegible] meeting [illegible] several [illegible] [illegible] by Councilman [illegible] [illegible] motion carried. [illegible] motion [illegible] [illegible] another

Atlantic Field.

City Clerk

By
Director of Finance

_____(SEAL)

Alice Lee Hamblock E.G. Thompson

Thursday, June 21, 1934 4:30 P. M.

The City Council met in [illegible] session; Mayor Wamboldt presiding. Present: [illegible], Councilmen [illegible], J. F. Crow, Jos. W. Little, [illegible], City Attorney, George L. Mahoney and [illegible]. [illegible] the previous meeting were read and

[illegible] f City Council to the recommendations of the Chamber of Commerce, and to further purpose of meeting [illegible] Council to discuss said recommendations, report to the Council touching [illegible].

[illegible] by Councilman Crow and voted on. Voting "aye" [illegible], motion was declared lost. Councilman Desgroseilliers, [illegible], would vote for reconsideration of the matter if [illegible].

A communication from James S. Howell, Attorney, presenting claim for personal injuries sustained by Mrs. A. G. Cloninger by reason of a fall on Patton Avenue, was read and ordered filed.

June 18, 1934

Mayor and Members of City Council,
Asheville, North Carolina.

Gentlemen:

This is to advise that I have been employed by Mrs. A. G. Cloninger, of Hillside Street, this city, to institute suit against the City of Asheville, and its sureties on its bond, by reason of injuries sustained by her on account of a defective sidewalk in front of Schachet's Dry Goods Store, 77 Patton Avenue, City of Asheville, N. C., about 2 P. M., June 15, 1934, which sidewalk is on the north side of Patton Avenue, the [illegible] of which sidewalk consisting of glass broken out of places [illegible] light to the basement of the building next to the sidewalk.

Mrs. Cloninger was walking along, when the heel of one of her shoes [illegible] walk just in front of Schachet's Store, and she [illegible] for her personal injuries sustained by her.

Please advise by proper entry upon your minutes your determination in [illegible], as provided by Sections 243 and 244, Chapter 10, of the City Charter.

JSH:M

Very truly yours,
James S. Howell

MILK ORDINANCE

Councilman Brookshire withdrew the former milk ordinance and offered another milk ordinance in substitution.

It was moved by Councilman Brookshire, seconded by Mayor Wamboldt, that An ordinance providing for a milk ordinance for the City of Asheville based upon the Federal and State Codes, with revisions upward to comply with the State Code, be passed on its first reading.

June 21, 1934

The motion on being put to a vote, Councilmen [illegible] voted "aye", Councilmen [illegible] voted "nay", and Mayor Wamboldt voted "aye". The motion was declared carried and the ordinance passed on its first reading.

[illegible] CITY [illegible]

A resolution to authorize the City Manager to execute [illegible] agreement with Cole Motor Company for the purchase of a Cole truck was offered for adoption by Councilman [illegible], seconded by Councilman Ernest W. [illegible].

[illegible] CITY [illegible]

A resolution authorizing the City Manager to execute [illegible] agreement with Cole Motor Company for the purchase of a Cole truck was offered for adoption by Councilman [illegible], seconded by Councilman Ernest W. Miller, [illegible].

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE PURPOSE OF PURCHASING A MOTOR TRUCK FOR CITY [illegible]

WHEREAS, the City Manager has received a proposal from Cole Motor Company to sell to the City of Asheville a Cole truck for approximately $4,000.00, for the use of the City [illegible] and city public works [illegible]; and

WHEREAS, the opportunity is presented to purchase a Cole truck at a price of $3485.00;

NOW, THEREFORE, [illegible] CITY [illegible]

That the City Manager is hereby authorized to execute an agreement with Cole Motor Company a White tank truck [illegible] by the City in the [illegible] price be authorized to be [illegible].

I move the [illegible].

SECONDED: [illegible]

Read, approved [illegible], this the [illegible] day of June, 1934.

WHOLE NUMBER: [illegible]

Approved as to form:
C. E. Blackstock.

[illegible] MAUDE REED MCCOLL

A resolution authorizing the [illegible] Maude Reed McColl was offered for adoption by Councilman [illegible], seconded by Councilman Ernest W. Miller, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE FOR THE USE OF THE CITY OF ASHEVILLE [illegible]

WHEREAS, it has been proposed to the City of Asheville that it enter into a contract with Maude Reed McColl [illegible], and,

WHEREAS, said [illegible]

NOW, THEREFORE, [illegible]

That the Mayor is hereby authorized to execute a lease in behalf of the City of Asheville for the above mentioned lease in [illegible] of the City Attorney, and that the same be attached and made a part of [illegible].

I move the [illegible].

SECONDED: [illegible]

Read, approved [illegible].

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Buncombe, State of North Carolina
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or breach ther
will, and it
and remove all
agreed that any rent shall be due and unpaid, or in the
made herein contained to be kept and performed by the L
, shall immediately, in any such event, become a tenant
shall be lawful for said Lessor to re-enter and take possession of said prem
s therefrom.

IN WITNESS WHEREOF, the said Lessor and Lessee have duly executed these present
this the day and year first above written.

ATTEST:

CITY CLERK

CITY OF ASHEVILLE (SEAL)

By:

MAYOR

June 21, 1954

It was moved by Co
E. W. Will
Asheville
motion carried.

City Manager
request
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Rainey recommended th
A motion made by
recommendation of the Ci
unanimously.

Ed. Pearson
to the 60th Annual
A motion
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Motion, carried.

The City Council
Councilman
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of [illegible]

Payment
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(SEAL)
My commission
Oct 7, 1925.

Pr
[illegible]

[illegible], 1925.

The
[illegible]
[illegible]

A resolution
[illegible]
The Board of Commissioners,
[illegible] "A Drak",
[illegible],

A RESOLUTION [illegible] A CERTAIN [illegible]
CONTRACT "I
[illegible],
A MEMORIAL Copper [illegible],

WHEREAS, it
[illegible]
to [illegible], and [illegible],
said note being th
[illegible]

WHEREAS, the Board of Financial Control
to settle said
Corporation [illegible],
Board of Financial Control
mentioned indebt
J. Will Pless, Jr., Jud
Court of Buncombe County.

NOW, THEREFOR
ASHEVILLE:

That the City Council
approve the settlement as set
and instructs its Co
W. W. Lapp, Fi
Corp., a corporation
by the Judge and

[illegible]

[illegible]

[illegible]

Thursday, July 5, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wambóldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager George L. Hackney, and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

A petition from property owners and tenants of Anna Street, West Asheville, requesting that a street light be place about in front of #17 Anna Street was presented and referred to the City Manager.

Mr. J. Y. Jordan, Jr., representing property owners in Beaver Lake section, appeared before the Council and requested that the City make sufficient demand on the Carolina Power & Light Company for street lights in Beaver Lake section.

A motion made by Councilman Baumberger, seconded by Councilman Westall, that the City Manager be instructed to make formal demand on behalf of the Council, of the Carolina Power & Light Company that street lights be installed in Beaver Lake section immediately carried unanimously.

Ordinance #210, entitled United States Public Health Service Standard Milk Ordinance and Code with Revisions Upward was offered on its third reading.

Councilman Westall offered an amendment, which was seconded by Councilman Baumberger, to strike out the third paragraph in Section 7, Item 1r, beginning with the word "provided" and ending with the word "waived" This motion carried unanimously

Councilman Baumberger moved, seconded by Councilman Westall, that Section 7, Item 11r, Water Supply be amended by adding at the beginning before the words "running water", "Within 12 months after this ordinance takes effect". This motion carried unanimously.

Ordinance #210, entitled United States Public Health Service Standard Milk Ordinance and Code with Revisions Upward, as amended, was voted on its third reading; Councilmen Boyd, Brookshire, Crow, Miller, Rainey, Wamboldt and Westall voted "aye", Councilman Baumberger voted "no", the ordinance was declared adopted to become effective according to statue on the 21st day of July, 1934.

ORDINANCE # 210

UNITED STATES PUBLIC HEALTH SERVICE STANDARD MILK ORDINANCE AND CODE WITH REVISIONS UPWARD.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE, as follows:

SECTION 1. DEFINITIONS. The following definitions shall apply in the interpretation and the enforcement of this ordinance.

(A) MILK. Milk is hereby defined to be the lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within fifteen days before and seven days after calving, or such longer period as may be necessary to render milk practically colostrum free; which contains not less than eight per cent (8%) of milk solids-not-fat, and not less than three and one-fourth per cent (3¼) of milk fat.

(B) MILK FAT OR BUTTER FAT. Milk fat or butter fat is the fat of milk.

(C) CREAM. Cream is that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean, and which contains not less than eighteen per cent (18%) of milk fat, and the acidity of which is not more than 0.20%, expressed as lactic acid.

(C-1) SINGLE CREAM. Cream having not less than eighteen per cent (18%) nor more than thirty per cent (30%) milk fat, shall be known as Single Cream.

(C-2) DOUBLE CREAM. Cream having more than thirty per cent (30%) milk fat, shall be known as Double Cream.

(D) SKIMMED MILK. Skimmed milk is milk from which a sufficient portion of milk fat has been removed to reduce its milk fat percentage to less than 3¼%.

(E) MILK OR SKIMMED MILK BEVERAGE. A milk beverage or a skimmed milk beverage is a food compound or confection consisting of milk or skimmed milk which has been pasteurized as the case may be, and to which has been added in a sanitary manner a syrup or flavor consiting of wholesome ingredients, and which is labeled with the grade of milk products from which it is made. If milk beverage or skimmed milk beverage contains less than 3¼% milk fat, the label shall indicate the percentage of milk fat to which the milk has been adjusted. (Adjusted milk is milk in which the percentage of milk fat has been adjusted by the addition or removal of cream or skimmed milk).

(F) BUTTERMILK. Buttermilk is the product which remains when fat is removed from milk or cream in the process of churning. It shall contain not less than eight per cent (8%) of milk solids-not-fat. It shall be made of milk or cream of legal grade.

(G) CULTURED BUTTERMILK. Cultured buttermilk is the product r sulting from the souring or treatment, by a lactic acid culture, of milk or milk products. It contains not less than 8% of milk solids-not-fat, and shall be pasteurized before adding the culture.

(H) CREAMED BUTTERMILK. Creamed buttermilk is buttermilk which contains not less than 3¼% milk fat.

(I) MILK PRODUCTS. Milk products shall be taken to mean and include cream, skimmed milk, milk beverages, skimmed milk beverages, buttermilk, cultured buttermilk, and creamed buttermilk.

(J) PASTEURIZATION. The term "pasteurization", "pasteurized", and similar terms shall be taken to refer to the process of heating every particle of milk or milk products to a temperature of not less than 142 deg. F., and holding at such temperature for not less than 30 minutes in pasteurization apparatus approved by the health officer, provided that approval shall be limited to apparatus which required a combined holder and indicting thermometer temperature tolerance of not more than 1½ deg. F., as shown by official tests with suitable testing equipment, and provided that such apparatus shall be operated as directed by the health officer and so that the indicating thermometers, and the recording thermometer charts both indicate a temperature of not less than 143½ deg. F. continuously throughout the holding period. Provided that nothing contained in this definition shall be construed as disbarring any other process which has been demonstrated as of at least equal efficiency and is approved by the state health authority.

(K) ADULTERATED MILK AND MILK PRODUCTS. Any substance claimed to be any milk or milk product defined in this ordinance, but not conforming with its definitions as given in this ordinance, or which carries a grade label unless such grade label has been awarded by the health officer and not revoked, shall be deemed adulterated and misbranded.

(L) MILK PRODUCER. A milk producer is any person who owns or controls one or more cows, a part or all of the milk or milk products from which is sold and/or delivered to another person.

(M) MILK DISTRIBUTOR. A milk distributor is any person who offers for sale, sells, or delivers to another any milk or milk products for consumption or manufacturing purposes. This shall be construed to include every store, hotel, restaurant, cafe, soda fountain, sanatoria, hospital, boarding house, school, or other establishment selling or serving milk.

(N) DAIRY OR DAIRY FARM. A dairy or dairy farm is any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold and/or delivered to any person.

(O) MILK PLANT. A milk plant is any place, or premises, or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution.

(P) HEALTH OFFICER. The term "health officer" shall mean the health authority of the City of Asheville, or his authorized representative.

(Q) AVERAGE BACTERIAL COUNT. Average bacterial count shall be taken to mean the logarithmic average of the bacterial counts of all samples taken during the grading period, including at least four samples taken upon separate days, provided that in enforcing Section 9 on Supplementary Regrading the last four consecutive samples may be used in determining an average bacterial count.

(R) GRADING PERIOD. The grading period shall be such period of time as the health officer may designate, within which grades shall be determined for all milk and/or milk products, Provided that the grading period shall in no case exceed four (4) months.

(S) BACTERICIDE. The term "bactericide" shall be taken to mean any bactericidal substance or process approved by the health officer.

(T) PERSON. The word "person" as used in this ordinance shall mean "person, firm, corporation, or association".

SECTION 2. THE SALE OF ADULTERATED, MISBRANDED OR UNGRADED MILK OR MILK PRODUCTS PROHIBITED.

No person shall within the City of Asheville, or its police jurisdiction, produce, sell, offer or expose for sale, or have in possession with intent to sell, any milk or milk product which is adulterated, misbranded, or ungraded. It shall be unlawful for any person, elsewhere than in a private home, to have in possession any adulterated, misbranded, or ungraded milk.

SECTION 3. PERMITS.

It shall be unlawful for any person to bring into or receive into the City of Asheville, or its police jurisdiction, for sale or to sell, or offer for sale therein, or to have in storage where milk is sold, or served, any milk or milk product defined in this ordinance, who does not possess a permit from the health officer of the City of Asheville, and on whose vehicle there does not appear in a conspicuous place ther permit number in figures at least three inches high and one and one-half inches wide.

Such permit may br revoked by the health officer upon the violation by the holder of any of the terms of this ordinance or in any emergency when in the judgment of the health officer the milk supply in question has become a public health menace, provided that the holder of said permit shall, after complying with such revocation, have the right of appeal to the City Council.

SECTION 4. LABELING AND PLACARDING.

All bottles, cans, packages, and other containers enclosing milk or any milk product defined in this ordinance shall be plainly labeled and/or marked with (1) the name of the contents as given in the definitions in this ordinance; (2) the grade of the contents if said contents are graded under the provisions of this ordinance; (3) the word "pasteurized" only if the contents have been pasteurized; (4) the word "raw" only if the contents are raw; (5) the name of the producer if the contents are raw, and the name of the plant at which the contents were pasteurized, if the contents are pasteurized. The label and/or mark shall be in letters of a size, kind, and color approved by the health officer, and shall contain no mark or words not approved by the health officer.

Every hotel, restaurant, cafe, soda fountain, or other establishment selling or serving milk shall display at all times, in a place designated by the health officer, a notice approved by the health officer, stating the lowest grade of the milk at the time when delivered and whether same is raw or pasteurized.

SECTION 5. INSPECTION OF DAIRY FARMS AND MILK PLANTS FOR THE PURPOSE OF GRADING OR REGRADING.

At least once every month the health officer shall inspect all dairy farms and all milk plants whose milk or milk products are intended for consumption within the City of Asheville, or its police jurisdiction. In case the health officer discovers the violation of any item of sanitation, he shall make a second inspection after a lapse of such time as he deems necessary for the defect to be remedied, but not before the lapse of three days, and the second inspection shall be used in determining the grade of milk or milk products. Any violation of any item of this ordinance on two consecutive inspections within any one grading period shall call for immediate degrading. Two consecutive violations due to temperature and/or bacterial count shall call for immediate degrading.

One copy of the inspection report shall be posted by the health officer in a conspicuous place upon the inside wall of one of the dairy farm or milk plant buildings, and said inspection report shall not be removed by any person except the health officer. Another copy of the inspection report shall be filed with the records of the health department.

SECTION 6. THE TESTING OF MILK AND MILK PRODUCTS.

During each grading period at least four samples of milk and/or milk products from each dairy farm and each milk plant shall be taken on separate days and tested by the health officer. Samples of milk and/or milk products, from stores, cafes, soda fountains, restaurants, and other places where milk or milk products are sold shall be tested as often as the health officer may require. Bacterial counts shall be made in conformity with the standard methods recommended by the American Public Health Association. Tests may include such other chemical and physical determinations as the health officer may deem necessary for the detection of adulteration, these tests to be made in accordance with the latest standard methods of the American Public Health Association and the Association of Official Agricultural Chemists. Bacterial counts or reductase test results shall be given to the producer or distributor concerned as soon as determined. Samples may be taken by the health officer at any time prior to the final delivery of the milk or milk products. All milk distributors shall furnish the health officer, upon his request, with the name of the milk plant from whom their milk is obtained.

SECTION 7. THE GRADING OF MILK AND MILK PRODUCTS.

At least once every four moths the health officer shall announce the grades of all milk and milk products delivered by all producers or distributors and ultimately consumed within the City of Asheville or its police jurisdiction.

Said grades shall be based upon the following standards, the grading of cream, buttermilk, cultured buttermilk and creamed buttermilk, being identical with the grading of milk except that the bacterial standard shall be double in the case of cream, and omitted in the case of buttermilk, cultured buttermilk, and creamed buttermilk.

CERTIFIED MILK.

Certified milk is milk which conforms with the current requirements of the American Association of Medical Milk Commissions, and is produced under the supervision of the Medical Milk Commission of the Buncombe County Medical Society, and of the State Board of Health or of the City Health officer of the City of Asheville, or County Health Officer of Buncombe County.

GRADE "A" RAW MILK.

Grade "A" Raw Milk is milk the average bacterial count of which as determined under Section 6 of this ordinance does not exceed 50,000 per cubic centimeter, and which is produced from dairy farms conforming with all of the following items of sanitation.

ITEM 1r. COWS - TUBERCULOSIS AND OTHER DISEASES.

(A) TUBERCULOSIS. A physical examination and tuberculin test of all herds and additions thereto shall be made before any milk therefrom is sold, and at least once every twelve months thereafter, by a licensed veterinarian approved by the state livestock sanitary authority. Said tests shall be made and any reactors disposed of, in accordance with the current requirements approved by the U. S. Department of Agriculture, Bureau of Animal Industry, for accredited herds.

A certificate signed by the veterinarian or attested to by the health officer, and filed with the health officer, shall be evidence of the above test. Every diseased animal shall be removed from the herd at once and no milk from diseased cows shall be offered for sale. All animals failing to pass the T. B. test shall be branded with the letter "T" on the left jaw and removed at once and slaughtered under the direction of the health officer. The letter in the brand shall be not less than two inches high and one and one-half inches wide.

For diseases other than tuberculosis such tests and examinations as the health officer may require shall be made at intervals and by methods prescribed by him, and any diseased animals or reactors shall be disposed of as he may require.

(B) BANGS DISEASE--CONTAGIOUS ABORTIONS. Within 12 months after this ordinance takes effect a three tube dilution serological blood test of all herds and additions thereto shall be made before any milk therefrom is sold, and as often thereafter as the health officer may direct. A certificate identifying each animal and signed by a licensed veterinarian and filed with the health department shall be evidence of the above test.

ITEM 2r. DAIRY BARN- LIGHTING.

A dairy or milking barn shall be required, and such sections thereof where cows are milked shall have at least three square feet of window area for each stanchion, or shall be provided with adequate supplementary artificial lighting, reasonably evenly distributed.

ITEM 3r. DAIRY BARN- AIR SPACE AND VENTILATION.

Such sections of all dairy barns where cows are kept and/or milked shall have at least four hundred (400) cubic feet of air space per stanchion, and shall be well ventilated.

ITEM 4r. DAIRY BARN- FLOORS.

The floors and gutters of such parts of all dairy barns in which cows are kept or milked shall be constructed of concrete or other impervious and easily cleaned material approved by the health officer and shall be graded to drain properly, and shall be kept clean and in good repair. No horses, pigs, fowl, etc., shall be permitted in parts of the barn used for dairy purposes.

ITEM 5r. DAIRY BARN- WALLS AND CEILINGS.

The walls and ceilings of all dairy barns shall be whitewashed once each year or painted once every two years, or oftener if necessary, or finished in a manner approved by the health officer, and shall be kept clean and in good repair. In case there is a second story above that part of the barn in which the cows are milked, the ceilings shall be tight.

ITEM 6r. DAIRY BARN- COW YARD.

All cow yards shall be graded and drained as well as practicable and kept clean.

ITEM 7r. MANURE DISPOSAL.

All manure shall be removed and/or disposed of in such manner as best to prevent the breeding of flies therein, or the access of cows to piles thereof.

ITEM 8r. MILK HOUSE- CONSTRUCTION.

There shall be provided a separate milk house with a milk room and a washroom for the handling and storage of milk and the washing and bactericidal treatment of milk apparatus and utensils. The milk house shall be provided with a tight floor constructed of concrete or other equally impervious material and graded to provide proper drainage, and partitioned to separate the handling of milk and the storage of cleaned utensils from the cleaning and other operations. The walls and ceiling of the milk house shall be cement plastered, ceiled or of such construction as to permit easy cleaning, and shall be painted at least once each year with a light colored oil paint, or finished in a manner approved by the health officer. The milk house shall be well lighted and ventilated and all openings effectively screened to prevent the entrance of flies, and shall be used for no other purpose than the handling and storage of milk and milk products and other operations incident thereto. The cleaning and other operations shall be so located and conducted as to prevent any contamination of the milk or of cleaned equipment. The milk room shall not open directly into a stable or into any room used for domestic purposes. Each milk house shall be provided with adequate facilities for the heating of water for the cleaning of utensils. The piping of water into the milk house shall be required. The milk house shall be equipped with stationary wash and rinse vats, and in the case of chlorine sterilization these shall be of the three compartment type.

ITEM 9r. MILK HOUSE-- CLEANLINESS AND FLIES.

The floors, walls, ceilings and equipment of the milk house shall be kept clean at all times. All means necessary for the elimination of flies shall be used.

ITEM 10r. TOILET.

Every dairy farm shall be provided with running water and sewerage approved by the health officer and/or with one or more sanitary toilets conveniently located and constructed, operated and maintained in accordance with the recommendations of the State Board of Health.

ITEM 11r. WATER SUPPLY.

Within 12 months after this ordinance takes effect running water under pressure shall be provided at both the dairy barn and the milk house. The water supply for the milk house and dairy barn shall be properly located, constructed and operated, and shall be easily accessible, adequate, and of a safe sanitary quality.

ITEM 12r. UTENSILS--CONSTRUCTION.

All containers and other utensils used in the handling, or storage of milk or milk products must be made of non-absorbent material and of such construction as to be easily cleaned, and must be in good repair. Joints and seams shall be soldered flush. All milk pails shall be of a small-mouth design approved by the health officer. From and after the date upon which this ordinance becomes effective all new milk pails purchased shall be of a seamless small mouth design approved by the health officer, and from and after 12 months after the date on which this ordinance becomes effective, all milk pails shall be of a seamless small mouth design approved by the health officer. All strainers shall be equipped with sterilized single service filter pads.

ITEM 13r. UTENSILS--CLEANING.

All containers and other utensils used in the handling, storage, or transportation of milk and milk products must be thoroughly cleaned after each usage.

ITEM 14r. UTENSILS--BACTERICIDAL TREATMENT.

All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall between each usage be treated with steam and chlorine in a manner approved by the health officer.

ITEM 15r. UTENSILS--STORAGE.

All containers and other utensils used in the handling, storage, and transportation of milk or milk products shall be stored in the milk room or sterilizing room in such manner as not to become contaminated before again being used.

ITEM 16r. UTENSILS--HANDLING.

After bactericidal treatment no container or other milk or milk product utensil shall be handled in such manner as to permit any part of the person or clothing to come in contact with any surface with which milk or milk products come in contact.

ITEM 17r. MILKING--UDDERS AND TEATS.

The udders and teats of all milking cows shall be clean at the time of milking.

ITEM 18r. MILKING--FLANKS.

The flanks, bellies and tails of all milking cows shall be free from visible dirt at the time of milking.

ITEM 19r. MILKER'S HANDS.

Milker's hands shall be clean, rinsed with a bactericidal solution, and dried with a clean towel immediately before milking. Should the milking operation be interrupted, the milker's hands must be again rinsed in the solution. Wet hand milking is prohibited. Convenient facilities shall be provided for the washing of milker's hands.

ITEM 20r. CLEAN CLOTHING.

Milkers and milk handlers shall wear clean washable outer garments while working.

ITEM 21r. MILK STOOLS.

Milk stools shall be made of metal or other impervious material and shall be kept clean.

ITEM 22r. REMOVAL OF MILK.

Each pail of milk shall be removed immediately to the milk house or straining room. No milk shall be strained or puured in the dairy barn.

ITEM 23r. COOLING.

Milk must be cooled within one hour after milking to 50 deg. F., or less, and maintained at or below that temperature until delivery, unless it is delivered to a milk plant for pasteurization or separation, in which case it must be cooled or pasteurized within two hours of the time of production. All milk shall be delivered to the final consumer at a temperature of 50 deg. F., or less.

ITEM 24r. BOTTLING AND CAPPING.

Wihtin 12 months after this ordinance takes effect milk shall be bottled and capped by means of a combination bottling and capping machine approved by the health officer. Caps shall be purchased in sanitary containers and kept therein until used.

ITEM 25r. PERSONNEL. HEALTH.

Every person connected with a dairy or milk plant whose work brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment, shall have within six (6) months, passed a medical examination made by the health officer or by a licensed physician satisfactory to the health officer, and shall submit such specimens of bodily discharges as the health officer may require.

ITEM 26r. VEHICLES.

All vehicles used for delivery of milk and/or milk products in the City of Asheville or its police jurisdiction, shall be of closed type, so constructed as to protect the milk from the sun and from contamination. Such vehicles shall be kept clean while used in transporting milk or milk products, and shall be used for no other purpose. No subatance capable of contaminating milk or milk products shall be transported with milk or milk products in such manner as to permit contamination.

GRADE "B" RAW MILK.

Grade "B" Raw Milk is milk the average bacterial count of which at no time prior to delivery exceeds 200,000 per cubic centimeter, or the average reduction time of which is not less than 6 hours, and which is produced upon dairy farms conforming with all items of sanitation required for Grade "A" Raw Milk except 11r, and the cooling temperature shall be changed to 70 deg. F. Item 11r shall be complied with within 12 months after this ordinance takes effect.

GRADE "C" RAW MILK.

Grade "C" Raw Milk is milk the average bacterial count of which at no time prior to delivery exceeds 1,000,000 per cubic centimeter, or the average reduction time of which is not less than 3½ hours, and which is produced upon dairy farms conforming with all items of sanitation required for Grade "B" Raw Milk.

GRADE "D" RAW MILK.

Grade "D" Raw Milk is raw milk which does not meet the requirements of Grade "C" Raw Milk, and which shall be plainly labeled "Cooking only".

GRADE "A" PASTEURIZED MILK.

Grade "A" Pasteurized Milk is Grade "A" or Grade "B" Raw Milk which has been pasteurized, cooled, and bottled in a milk plant conforming with all of the following items of sanitation and the average bacterial count of which at no time after pasteurization and until delivery exceeds 30,000 per cubic centimeter.

ITEM 1p. FLOORS.

The floors of all rooms in which milk is handled shall be constructed of concrete or other equally impervious material and easily cleaned material and shall be smooth, properly drained and provided with trapped drinas and kept clean.

ITEM 2p. WALLS AND CEILINGS.

Walls and ceilings of rooms in which milk is handled or stored shall have a smooth, washable, light-colored surface and be kept clean.

ITEM 3p. DOORS AND WINDOWS.

All openings into the outer air shall be effectively screened to prevent the access of flies. Doors shall be self-closing.

ITEM 4p. LIGHTING AND VENTILATION.

All rooms shall be well lighted and ventilated.

ITEM 5p. PROTECTION FROM CONTAMINATION.

The various milk plant operations shall be so located and conducted as to prevent any contamination to the milk or to the cleaned equipment. All means necessary for the elimination of flies shall be used. This requirement shall be interpreted to include separate rooms as follows:

(A) RECEIVING ROOM. Cans of raw milk shall not be unloaded directly into the pasteurizing room. Empty cans shall not be washed in the receiving room.

(B) PROCESSING ROOM. The use of this room shall be limited to the process of pasteurizing, cooling, bottling and other operations incident thereto, in the handling of fluid milk products. Pasteurized milk shall not be permitted to come into contact with equipment which unpasteurized milk has been in contact. Separate equipment shall be provided for the handling and processing of sour milk products.

(C) WASH ROOM. This room shall be used for the washing and bactericidal treatment of containers and equipment.

(D) MACHINERY ROOM. Besides containing all of the machinery necessary this room may also contain the boiler.

Rooms in which milk or milk products or cleaned utensils or containers are handled or stored shall not open directly into any stable or living quarters.

All containers and/or equipment used in the handling or processing of milk or milk products shall be equipped with covers so designed as to protect the contents from surface contamination.

ITEM 6p. TOILET FACILITIES.

Every milk plant shall be provided with running water and sewerage approved by the health officer. There shall be at least one room or vestibule not used for milk purposes between the toilet room and any room in which milk or milk products are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be easily accessible, kept in a clean condition in good repair, and well ventilated.

ITEM 7p. WATER SUPPLY.

Every milk plant shall be provided with running water under pressure easily accessible, adequate, and of a safe, sanitary quality.

ITEM 8p. WASHING FACILITIES.

Washing facilities shall be provided in an accessible location, including hot running water, soap, andsanitary towels of a type approved by the health officer. The use of a common towel is prohibited.

ITEM 9p. MILK PIPING.

Only "sanitary milk piping" of a type which can be easily cleaned with a brush shall be used.

ITEM 10p. CONSTRUCTION AND REPAIR OF EQUIPMENT.

All equipment with which milk comes in contact shall be constructed in such manner as to be easily cleaned and shall be kept in good repair.

ITEM 11p. DISPOSAL OF WASTES.

All wastes shall be disposed of in conformity with the requirements of the health officer.

ITEM 12p. CLEANING AND BACTERICIDAL TREATMENT OF CONTAINERS AND APPARATUS.

All milk containers and milk apparatus shall be thoroughly cleaned after each usage and subjected to a bactericidal treatment approved by the health officer immediately before each usage.

ITEM 13p. STORAGE OF CONTAINERS.

After bactericidal treatment all bottles, cans, and other containers shall be stored in such manner as to be protected from contamination.

ITEM 14p. HANDLING OF CONTAINERS AND APPARATUS.

Between bactericidal treatment and usage containers and apparatus shall not be handled in such manner as to permit any part of the person or clothing from coming in contact with any surface with which milk or milk products come in contact.

ITEM 15p. STORAGE OF CAPS.

Milk bottle caps shall be purchased only in sanitary tubes and shall be kept therein until used. Said tubes shall be stored in a closed compartment especially provided for this purpose.

ITEM 16p. PASTEURIZATION.

Pasteurization shall be performed as described in Section 1-J of this ordinance. The time and temperature record charts shall be dated and preserved for a period of three months for theinformation of the health officer.

ITEM 17p. COOLING.

All milk not pasteurized within two hours after it is received at the plant shall then be immediately cooled to a temperature of 50 deg. F., or less and maintained thereat until pasteurized, which space of time shall not exceed 18 hours. All pasteurized milk shall be immediately cooled to a temperature of 50 deg. F. or less and maintained thereat until delivery.

ITEM 18p. BOTTLING.

Bottling shall be done at the place of pasteurization in automatic machinery approved by the health officer in such manner as to prevent any part of the person or clothing from coming in contact with any surface with which milk or milk products come in contact.

ITEM 19p. OVERFLOW MILK.

Overflow milk shall not be sold for human consumption.

ITEM 20p. CAPPING.

Capping shall be done by automatic machinery approved by the health officer. Hand capping is prohibited.

ITEM 21p. TIME OF DELIVERY.

Milk to be consumed in the form of whole milk shall be delivered to the final consumer within 36 hours of the time of pasteurization.

ITEM 22p. PERSONNEL. HEALTH.

Every person connected with a milk plant whose work brings him in contact with the handling, storage, or transportation of milk, milk products, containers, or equipment, shall have within six (6) months passed a medical examination by the health officer or by a licensed physician satisfactory to the health officer, and shall submit such specimens of bodily discharges as the health officer may require.

ITEM 23p. PERSONNEL. CLEANLINESS.

All persons coming in contact with milk or milk products, containers or equipment shall wear clean white outer garments and shall keep their hands clean at all times while thus engaged.

ITEM 24p. VEHICLES.

All vehicles used for delivery of milk and/or milk products in the City of Asheville or its police jurisdiction, shall be of closed type, so constructed as to protect the milk from the sun and from contamination. Such vehicles shall be kept clean while used in transporting milk or milk products, and shall be used for no other purpose. No substance capable of contaminating milk or milk products shall be transported with milk or milk products in such manner as to permit contamination.

GRADE "B" PASTEURIZED MILK.

Grade "B" Pasteurized Milk is Grade "A" or "B" Raw Milk which had been pasteurized, cooled and bottled in a milk plant conforming with all of the requirements for Grade "A" Pasteurized Milk and the average bacterial count of which at no time after pasteurization and until delivery exceed 50,000 per c. c.

GARDE "C" PASTEURIZED MILK.

Grade "C" Pasteurized Milk is pasteurized milk which does not meet the requirements of Grade "B" Pasteurized milk, and which shall be plainly labeled "cooking only".

SECTION 8. GRADES OF MILK AND MILK PRODUCTS WHICH MAY BE SOLD.

From and after 30 days from the date on which this ordinance takes effect no milk or milk products shall be sold to the final consumer, or to restaurants, soda fountains, grocery stores, hotels, sanatoria, hospitals, boarding houses, schools, or similar establishments, except Grade "A" Pasteurized, Certified and Grade "A" Raw. This section shall not be construed as forbidding the sale of lower grades of milk and milk products during temporary periods of degrading not exceeding 30 consecutive days, or in emergencies, such longer period as the health officer may deem necessary.

SECTION 9. SUPPLEMENTARY REGRADING.

At any time between regular announcements of milk grades any producer or distributor may make application for regarding his product.

Upon the receipt of a satisfactory application, the health officer shall, in the case of applicant's existing low grade is due to failure to meet the bacterialogical or temperature requirements, make at least four examinations upon samples collected by the health officer of the applicant's output within a period of not less than two weeks and not more than three weeks of the date of the application. The health officer shall award a higher grade immediately in case the said four examinations indicate the necessary quality.

In case the applicant's existing low grade is due to a violation of an item of sanitation other than bacterial count or temperature, said application must be accompanied by a statement to the effect that the violated item of sanitation has been complied with. Wihtin two weeks of the receipt of such an application the health officer shall make a re-inspection of the applicant's establishment and in case the findings justify, shall award a regarde.

At any time between regular announcements of milk grades the health officer shall lower the grade of any milk producer or distributor if, as a result of inspection or milk examinations a lower grade shall be justified in accordance with the terms of this ordinance.

SECTION 10. TRANSFERRING OR DIPPING MILK; SALE OF MORE THAN ONE GRADE; DELIVERY OF MILK AT QUARANTINED RESIDENCES.

No milk producer or distributor shall transfer milk or milk products or bottle caps from one container to another upon the street or in any vehicle or store, or in ay place except a bottling or milk room especially used for that purpose, except as may be specially permitted by the health officer in the case of milk being delivered in bulk. The sale of dipped milk is hereby expressly prohibited. All pasteurized milk shall be placed in its final delivery container in the plant in which it is pasteurized, and from and after 30 days after this ordinance takes effect all raw milk sold for consumption in the raw state shall be placed in its final delivery container at the dairy at which it is produced. It shall be unlawful for hotels, soda fountains, restaurants, and similar eatablishments to sell or serve any milk except in the original container in which it was received from the producer or distributor, provided that this requirement shall not apply to mixed milk drinks. All milk and/or milk products shold and/or delivered in less than two gallon quantities, shall be bottled in standard containers approved by the health officer.

If more than one grade or kind of milk and/or milk products is sold by any distributor separate receiving, pasteurizing, cooling, and bottling equipment shall be provided for each grade and the equipment for each grade shall be located in separate building or in separate rooms of the same building.

The delivery of milk to and the collection of milk containers from quarantined residences shall be subject to the special requirements of the health officer.

SECTION 11. MILK AND MILK PRODUCTS FROM POINTS BEYOND THE LIMITS OF INSPECTION OF THE CITY OF ASHEVILLE.

Milk and milk products from points beyond the limits of inspection of the City of Asheville may not be sold in the City of Asheville or its police jurisdiction unless produced and pasteurized under grading provisions identical with those of this ordinance and approved by the health officer.

SECTION 12. SPITTING AND SMOKING.

No person shall spit or smoke in any part of any room behicle, or other place used for the sale, storage, handling, or transportation of milk and/or milk products.

SECTION 13. NOTIFICATION OF DISEASE.

Notice shall be sent to the health officer immediately by any milk producer or distributor upon whose dairy farm or in whose milk plant any case of sickness or any infectious, contagious, or communicable disease occurs.

SECTION 14. DENATURING MISBRANDED PRODUCTS.

The health officer may denature with rennet or some harmless matter any milk or milk products found misbranded with respect to grading or sold without a permit, provided that if the conditions warrant the milk or milk products may be destroyed.

SECTION 15. REPASTEURIZATION PORHIBITED.

No milk or milk products shall be pasteurized more than once, except as may be specially permitted by the health officer.

SECTION 16. FUTURE DAIRIES AND MILK PLANTS.

All dairies and milk plants from which milk is supplied to the City of Asheville, which are hereafter constructed, shall conform in their construction to the requirements of the health officer, which shall not be less than the Grade A requirements of this ordinance.

SECTION 17. PROCEDURE WHEN INFECTION SUSPECTED.

When suspicion arises as to the possibility of transmission of infection from any person concerned with the handling of milk, thehealth officer is authorized to require any or all of the following measures: (1) the immediate exclusion of that person from milk handling, (2) the immediate exclusion of the milk supply concerned from distribution and use, (3) adequate medical and bacteriological examination of the person, of his associates, and of his and their bodily discharges.

SECTION 18. ICE CREAM AND FROZEN MILK PRODUCTS.

It shall be unlawful for any person, firm, association, or corporation to manufacture, to sell or offer for sale, in the City of Asheville, any ice cream or frozen milk products which do not conform to the standard requirements of this ordinance. It shall be provided further that all measures of sanitation required for milk plants and milk distributors shall be observed by the manufacturers of these products. Materials other than milk and milk products used in the manufacture of ice cream and frozen milk products shall be such as to meet with the approval of the health officer. Thehealth officer shall at all times have the authority to investigate the processes of manufacture of ice cream and frozen milk products when the same are sold or offered for sale within the City of Asheville or its police jurisdiction.

SECTION 19. ENFORCEMENT INTERPRETATION.

This ordinance shall be enforced in accordance with the interpretations thereof contained in the latest published edition of the Public Health Service Milk Code insofar as the said Code applies to and is not inconsistent with this ordinance.

SECTION 20. PENALTY.

Any person, firm, corporation or association, who shall violate any provision of this ordinance shall be subject to a penalty of fifty dollars ($50.00) for each and every such offense and each and every violation of any provision of this ordinance shall constitute a separate offense.

SECTION 21. REPEAL AND DATE OF EFFECT.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect immediately upon its adoption and its publication, as provided by law.

SECTION 22. UNCONSTITUTIONALITY CLAUSE.

Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

I move the adoption of the foregoing ordinance, this the 21st day of June, 1934.

H. G. Brookshire
COUNCILMAN

SECONDED BY:

Wickes Wamboldt
COUNCILMAN

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Read, approved and adopted this the 5th day of July, 1934, to become effective July 21, 1934. Published July 1934.

Wickes Wamboldt
MAYOR

ORDINANCE #211-
REVENUE ORDINANCE-

E. G. Thompson
CITY CLERK

Ordinance #211- entitled An Ordinance levying, assessing, imposing, and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1934 and ending May 31, 1935 was offered on its second reading.

Councilman Miller offered an amendment, which was seconded by Councilman Baumberger, Under Billiards and Pool strike out the word "smaller in next to last line and insert the word "larger". This motion carried unanimously.

It was moved by Councilman Miller, seconded by Councilman Westall that the ordinance be amended by striking out sections Clothing Merchants-Men's Apparel and Clothing Merchants and Women's Apparel and insert in lieu thereof the following:
CLOTHING MERCHANTS- Every person, firm, or corporation engaged in the business of selling women's, men's boys' and/or girls' apparel, at retail, shall pay a license tax, per annum ----------
Where the gross sales are less than $3,000.00 per year------ $10.00 $30.00

This motion carried unanimously.

A motion made by Councilman Miller, seconded by Councilman Baumberger, that the ordinance be amended by striking out the word Buncombe under LAUNDRIES AGENCIES and inserting the word Asheville. This motion carried unanimously.

Ordinance #211 entitled An ordinance levying, assessing, imposing, and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1934 and ending May 31, 1935, with amendments was voted on its second reading, Councilmen Baumberger, Boyd, Brookshire, Crow, Miller, Rainey, Wamboldt and Westall voting "aye", the ordinance was declared passed on its second reading.

Councilman Baumberger presented a report signed by John E. Baumberger and Ernest H. Miller, regarding the use of the Rhododendron Club House and made the following recommendation: That the Rhododendron Club House be not leased to any particular civic organization, but that the City Manager be authorized to appoint a house committee representing the different civic organizations of Asheville desiring the use of the Rhododendron Club House building, and that such house committee make such rules and regulations, subject to the approval of the City Manager, as may be necessary so as to permit the different civic organizations to enjoy the use of the Rhododendron Club House building without conflict as to dates or time of other public use.

Mayor Wamboldt made a motion, which was seconded by Councilman Brookshire, that the ladies of the West Asheville Community Club be allowed to continue the occupancy of the Club House for the next three years, that the club house be maintained as a community house, other organization to be allowed to use of the house under the supervision of the ladies of the Community Club, that a minimum fee be charged and all revenues derived through fees be applied to the maintenance and improvement of the club house.

Councilman Boyd moved, seconded by Councilman Rainey that the majority committee's report be adopted. This motion being voted on, Councilman Rainey, Baumberger Boyd and miller voted "aye"., the motion was declared lost.

The original motion was then voted on, voting "aye" Councilman Brookshire, Wamboldt and Crow, the motion was declared lost.

City Manager George L. Hackney reported the budget for the fiscal year is not completed, and requested that the Council authorize him to request the Board of Financial Control to approve a temporary operating budget of $60,000 for the month of July.

Councilman Crow moved, seconded by Councilman Rainey, that the request of the City Manager that the Board of Financial Control be requested to approve a temporary operating budget of $60,000. for the month of July, be approved. This motion carried.

A motion of Councilman Boyd, seconded by Councilman Westall that 100,000 old brick be given to the School Board for the construction of a retaining wall at Stephens-Lee School to keep the dirt from the street, the work to be done under the supervision of the City Engineer, carried unanimously.

On motion of Councilman Miller, seconded by Councilman Rainey action on the request of Mr. R. H. Boyer for permission for a local company to operate 10cent taxicabs in the city was deferred until next meeting.

Councilman Crow moved, seconded by Councilman Rainey that the Finance Committee be authorized to confer with the Corporation Counsel on the matter of sale of securities held by the Board of Financial Control and the Corporation Counsel be authorized to sign release. This motion carried.

Corporation Counsel, C. E. Blackstock, made a report of the hearing of the State Utilities Commission on the telephone rates for Asheville, which he attended in Raleigh.

A motion offered by Councilman Miller, seconded by Councilman Westall that Mr. Blackstock and Councilman Boyd be sent to Raleigh to attend the meeting of the State Utilities Commission, with power to proceed with anything necessary, carried unanimously. on July 10th

On motion adjourned.

Mayor

City Clerk

Thursday, July 12, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt, and City Manager George L. Hackney. The minutes of the previous meeting were read and approved.

TAXING ORDINANCE

Mr. Edward Wright representing the Blue Ridge Building & Loan Company, made a request that the tax of 2¢ on each $100 of actual book value of shares of stock issued and outstanding levied by the Revenue ordinance be reduced one half.

Judge Guy Weaver, representing S. Sternberg Company and other junk dealers, requested that the tax levied for junk dealers be reduced.

A communication from Asheville Citizen-Times Company objecting to the levy of $150.00 for morning newspapers was read.

Councilman Little moved, seconded by Councilman Miller that the tax on morning newspapers be reduced from $150.00 to $100.00 a year. This motion lost.

A motion of Councilman Little, seconded by Councilman Miller that Advertising by Radio be striken out was deferred until the final passage of the ordinance.

LAUNDRIES

A motion made by Councilman Miller, seconded by Councilman Baumberger, that under Laundry Agencies, the words "buncombe County" be striken out and the word "Asheville" be inserted, carried unanimously.

On motion, adjourned.

Mayor

City Clerk

Thursday, July 19, 1934- 4:30 P. M.

The City Council met in regular session, Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, E. H. Miller, J. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney, and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

CURVE CORNER AT HIAWASSEE AVENUE

A communication from Mr. R. L. Fitzpatrick calling attention to dangerous condition of the curve corner of Hiawassee Street and Rankin Avenue was read. Mr. Fitzpatrick suggested that the removal of a small garage at this intersection would widen the curve and greatly enhance the safety of the traveling public.

Councilman Crow moved, seconded by Councilman Rainey, that the City Manager be given power to remedy the situation complained of. This motion carried.

ELLIS COFFEE--CLAIM

Mr. Ellis C. Jones filed notice of claim for damages for injuries sustained by Ellis Coffee. This matter was ordered referred to the Corporation Counsel.

NORTH CAROLINA
BUNCOMBE COUNTY

ASHEVILLE, N. C., July 19, 1934

To the Hon. Mayor and Members of the City Council,
of the City of Asheville, State of North Carolina.

GREETING:

The undersigned was knocked down and seriously and permanently injured on Haywood Road, West Asheville, North Carolina on or about April 30, 1934, by an automobile drived by Mr. C. D. Stoe. The said Mr. Stoe was endeavoring to dodge a large truck which had been left standing in the street, by Chief of Police, W. J. Everett and other policement after they had investigated and automobile accodent and arrested the driver of said truck, and taken him into custody.

Said injury and damage was caused to the undersigned by violently knocking him down in the Street, knocking our four upper front teeth, lacerating his upp lip and otherwise bruising his body and limbs, and shattering his nerves, all his damage in the sum of Three Thousand Dollars ($3,000.00).

You will take notice that unless said damages are settled within a reasonab time, the undersigned will institute action against the City of Asheville, for collection of same.

Sincerely,

Liston Coffee
by his atty Ellis C. Jones.

The request of Mrs. E. D. Teague that the City deduct from the amount of stree assessments charged against her property on Michigan the cost of a driveway which she had built, the city having left the driveway too high when the street was paved, was presented and on motion of Councilman Crow, seconded by Councilman Baumberger, referred to the City Manager for adjustment provided the City has not paid her damages.

Councilman Baumberger moved, seconded by Councilman Crow, and adopted that the City Engineer be instructed to remedy the condition on Tryon Street caused by washout of driveways due to insufficient drainage facilities.

Ordinance #211, entitled An ordinance levying, assessing, inposing, and defini the license and privilege taxes of the City of Asheville forthe fiscal year beginning Jun 1, 1934 and ending May 31, 1935 was presented on its third reading.

Councilman Miller moved, seconded by Councilman Westall, that the ordinance be amended under Building & Loan Association the tax be reduced from two (2¢) cents on each one hundred dollars of actual book value of shares of stock, to one (1¢) cent on each one hundred dollars of actual book balue of shares of stock. This motion carried

It was moved by Councilman Miller seconded by Councilman Crow that under Games the tax be reduced from $10.00 to $5.00. This motion carried unanimously.

Councilman Miller moved, seconded by Councilman Boyd that the ordinance be amended; Newspaper , daily, morning be reduced from $150.00 to $100.00 and weekly newspap be reduced from $35.00 to $25.00. This motion carried.

Councilman Miller moved that Junk Dealers tax be reduced from $250.00 to $150. per annum. This motion was seconded by Councilman Crow, voted on and carried unanimously

A motion was made by Councilman Miller, which was seconded by Councilman West that Shoe Merchants read as follows:

Every person, firm, or corporation selling shoes at retail, shall pay the following graduated license tax based on the annual gross receipts:

Less than $2,000 annually	$ 5.00
$2,000 and less than $5,000	10.00
$5,000 and less than $10,000	15.00
$10,000 and less than $15,000	20.00
$15,000 and less than $25,000	25.00
$25,000 and less than $35,000	30.00
$35,000 and less than $50,000	40.00
$50,000 and less than $75,000	50.00
$75,000 and over	75.00

This motion was voted on and carried.

Councilman Miller moved, seconded by Councilman Crow, that the ordinance be amended to read:

Goods, Wares, and Merchandise--Peddling of.	
Peddling on foot, per annum	$ 5.00
Peddling with horse drawn vehicles, per annum	7.50
Peddling with pasenger cars or small truck made from passenger cars, per annum	7.50
Small two wheel trailers drawn by truck or automobile, per annum	7.50
Trucks of one-half ton capacity, per annum	10.00
Trucks of more than half ton and not over one ton capacity, per annum	15.00
Trucks of one and one-half ton capacity, per annum	20.00
Trucks, Trailers and semi-trailers of more than one and one-half ton capacity, per annum	25.00

PROVIDED: Where the annual license tax has not been paid, a license tax per l shall be collected as follows:

Upon trucks and cars of less than one-half ton capacity	1.00
Upon trucks of one-half ton capacity	2.00
Upon trucks of one ton capacity	3.00
Upon trucks of one and one-half ton capacity	4.00
Upon trucks, trailers and semi-trailers of more than one and one-half ton capacity	5.00

This motion on being put to a vote carried.

A motion made by Councilman Miller, seconded by Councilman Crow that section Advertising by Radio be striken out, carried.

ORDINANCE #211- ABOVE-2

Ordinance No. 211- entitled An Ordinance levying, assessing, imposing and defining the license and privileges taxes of the City of Asheville for the fiscal year beginning June 1, 1934 and ending May 31, 1935 was voted on its third reading. Voting "aye" Councilmen Boyd, Crow, Miller, Rainey, Wamboldt and Westall, voting "no" Councilman Baumberger, the ordinance was declared passed on its third and final reading to become effective on the 4th day of August, 1934.

ORDINANCE #211

AN ORDINANCE

LEVYING, ASSESSING, IMPOSING, AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JUNE 1, 1934, AND ENDING MAY 31, 1934

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1.

That to raise funds for general municipal purposes, the following license taxes hereinafter specified are hereby levied for theprivilege of carrying on the businesses, trades, professions, callings, occupations, or doing the act named, within the corporate limits of the City of Asheville, from the first day of June, 1934, to the thirty-first day of May, 1935, unless for some other time or period herein specified; and all such taxes shall be due and payable in advance at theoffice of the Director of Finance. The payment of any particular tax herein imposed shall not relieve the party paying same from liability for any other tax specifically imposed for any other business conducted by such person.

Section 2.

That all persons, before engaging in any business, trade, profession, calling, occupation, or doing any act on which a license tax is imposed by this ordinance, shall, except as hereinafter provided, apply for andprocure in advance, from the Director of Finance or someone designated by him, for license, andupon the payment of the license tax herein imposed a license shall be issued to said applicant, Such license must be posted conspicuously in the place of business licensed, and if the licensee has no regular place of business, the license must be kept where it may be inspected at all times by the proper city officials. No license shall be transferable or assignable except by consent of the City Manager.

Section 3.

(a) That any person, firm, or corporation,desiring to engage in aby business, trade, or vocation, or do anything hereinafter mentioned in this paragraph, may be required to appear in person before the Director of Finance for a license, stating the place at which it is proposed to conduct the nueiness, the name of theowner of the business, or, if the owner be a firm, the names of all members of such firm, or, if the owner be a corporation, the names of the officers, including the manager. And the Director of Finance shall also have the right to require the owner, proprietor, manager, or other person interested in or connected with such business, to give evidence, upon oath, touching the manner in which such business has been or is to be conducted, as well as any other facts which the Director of Finance may deem necessary. This section shall apply to the following:

1. Owners and Drivers of For Hire Vehicles and Public Conveyances.
2. Keepers of Billiard, Pocket Billiard, or Bagatelle Tables.
3. Bowling Alleys, or Alley of like kind.
4. Shooting Galleries.
5. Cane Boards, Jingle Boards, or Knife Racks.
6. Penny Arcades.
7. Merry-Go-Rounds, Ferris Wheels, Switchbacks, or Roller Coasters.
8. Any kind of Table, Stand, Place, or Game, kept in a house or room used or connected with a hotel or restaurant.
9. Carnivals, Theatres, Motion Picture Shows, Vaudeville Shows, Dance Halls, Roof Gardens, or Menageries.
10. Phrenologists.
11. Lunch Counters or Restaurants.
12. Hotels, Lodging Houses, or Boarding Houses.
13. Soft Drinks.
14. Junk Dealers.
15. Pressing Clubs.
16. Pawnbrokers.
17. Second-hand Dealers.
18. Gasoline or Oil Filling Pipes, Service Tanks, or Pumps.

(b) A license may be refused for any business enumerated in the preceding subsection unless the City Manager shall be satisfied that the applicant, or theproposed manager, is a person of good moral character, and fit and proper person to conduct such business, and unless he shall also be satisfied that the place proposed is a suitable for the conduct of such business.

(c) That billiard rooms, pool rooms, bowling alleys, bagatelle tables, or rooms where games or tables of like kind are operated, and also restaurants, cafes, lunch counters, or places where soft drinks are sold, shall be kept clear of screens or sight obstructions of any kind.

Section 4.

That before license shall be issued for any of the following businesses, the applicant shall execute a satisfactory bond, payable to the City, in the amount hereinafter named, conditioned for the faithful observance by such licensee, his or its servants, agents, or employees, of all laws and ordinances now in force or hereinafter enacted, relating to such business, and further conditioned to save the City harmless from damages arising from the negligence of such licensee or agents, servants, or employees thereof, and otherwise as the City Manager may determine:

1.	Pawnbrokers----------	$1,000.00
2.	Junk Dealers----------	1,000.00
3.	Electrical Contractors- ----------	1,000.00
4.	Electric Sign Contractors and Hangers----------	1,000.00
5.	Plumbing Contractors----------	500.00
6.	Sidewalk or Paving Contractors doing any work on sidewalks or streets costing not over $300.00----------	1,000.00
	Doing such work costing over $300.00---- ----------	100.00
7.	House Movers----------	1,000.00
8.	Taxicabs----------	500.00

Section 5.

That whenever the word "person" is used in this ordinance, the same shall be construed to include "firms", "companies", "corporations", and "associations".

Section 6.

Where the amount to be paid for license depends upon the amount of gross sales or receipts, or other facts to be ascertained, it shall be the duty of persons applying for license to render to the Director of Finance a sworn statement of such gross sales or receipts during the preceding months, quarter, or year, as the case may be, and such other and further proof as the Director of Finance may require; or , if the amount of license to be paid is determined by other facts, then a sworn statement as to such facts and such other and further proof as the Director of Finance may require, shall be rendered said Director of Finance; and in either case the Director of Finance shall not be required to receipt for the money or issue any license until satisfactory proofs are furnished. In case the bsuiness for which the license is required is commenced after June 1, 1934, and the tax on such business is based upon gross sales or receipts or fees to be ascertained, the license shall be assessed upon the probable gross sales or receipts during a term of one year; or if the amount of tax to be paid is determined by other facts to be ascertained, then a sworn statement as to such facts shall be made, and the license based thereon. Provided, however, that the Director of Finance shall have the right at any time during the period covered by any license to require of such licensee additional sworn statement as to the sales and receipts or other determining facts of such business and an additional license tax shall be paid in accordance therewith.

Section 7.

When any business is begun after June 1, 1934, the tax in such case may be reduced in proportion to the number of full quarters that have elapsed since June 1, 1934, unless otherwise provided in the section fixing the tax. Provided, however, that no license shall be issued for less than one ($1.00) dollar.

Section 8.

The adoption of this schedule of license tax shall not abridge the right of the City Council to change, alter, increase, or decrease, any or all of the license taxes herein levied, or to levy taxes on businesses, trades, or professions not hereby taxed at any time. And when any increase is made, the license shall be revoked unless such increase tax be paid within thirty (30) days.

Section 9.

Should any section, paragraph, sentence, clause, or phrase, of this ordinance, be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Section 10.

A separate license shall be required for each place of business, and every class of business for which a license tax is required by this ordinance.

Section 11.

Any license issued under this ordinance shall be subject to revocation or suspension for a definite or indefinite time by the City Manager, without refund of any part of the tax paid, if the licensee or manager, or person in charge of the business, or employee, shall violate any ordinance or law relative to such business, or be convicted of crime, or if, in the judgment of the City Manager, the licensed does, by reason of its nature or the manner or place in which it is conducted, constitute a nuisance or is a menace to good order or to public health, welfare, safety, or morals. And upon the revocation or suspension of any such license, it shall be unlawful for the person to whom such license was granted to continue to conduct such business. Any person, firm, or corporation violating this provision, shall pay a penalty of fifty ($50.00) dollars. Each day such business is conducted after revocation or suspension of license, shall constitute a separate offense.

Section 12.

It shall be the duty of the Director of Finance to see that the Collector of the Police Court is furnish with a list of all unpaid license taxes for the fiscal year of 1934-35 on or before September 1, 1934, and it shall be the duty of the Collector of the Police Court to issue warrants for all delinquents, and to prosecute as vigorously as necessary and demand that the same be paid or inflict a penalty as provided in this ordinance.

Section 13.

That each owner of any vehicle, private or for hire, public dray, or other vehicle for which license is issued, shall display on such vehicle a metallic tag to be furnished by the City.

Section 14.

That upon satisfactory proof that any such metal sign or tag has been lost or destroyed, the Director of Finance shall furnish a duplicate upon payment of a fee of fifty (50¢) cents.

Section 15.

That every person who shall violate any provision of this ordinance, or engage in any business, trade or vocation, orprofession, on which a license tax has been fixed, without having first paid the tax and received a license, shall be liable to a penalty of fifty ($50.00) dollars for each offense, and each day said business shall be carried on shall constitute a separate and distinct offense.

Section 16.

All license taxes imposed by this ordinance shall be due June 1st of each year for which the tax is levied, and shall become payable upon the last meeting of the City Council before the same shall become effective, and the tax may bepaid in quarterly instalments, at the request of the taxpayer; provided, however, that no initial quarterly payment shall be less than $10.00; and, provided, further, that in every instance not less than one-fourth of the total tax may be paid in any one installment. If any installment shall not be paid on or before the first day of the quarter upon which same shall become due, then all unpaid installments shall immediately become due and payable, together with a five (5%) per cent penalty per month upon the entire unpaid balance. All license taxes imposed by this ordinance shall be due and payable in advance, and if any person shall fail to pay any license tax required by this ordinance by September 1, 1934, 5% per month of the amount of such license shall be added to the tax required, and no license shall be granted until the license tax, plus the five (5%) per centum per month thereof, has been paid. The addition of the five (5%) per centum per month on the amount of said license tax shall not exempt the delinquent from the penalties herein prescribed in case of delinquency.

Section 17.

LICENSE SCHEDULE.

"A"

ABATTOIR, OR SLAUGHTER HOUSE,

Per annum ---------- $50.00

ACCOUNTANTS.

Exempt by State Statutes.

ADVERTISING.

Not specifically taxed.

Every person, firm, or corporation, engaged in the business of soliciting or contracting for advertising, or engaged in the business of advertising, and not specially classified and taxed by this article, where tax is not prohibited by State Statutes, shall pay a license tax of, per annum---------- $15.00

Provided, that this tax shall not apply to newspapers or periodicals published in the City.

ADVERTISING, OUTDOOR--BILLBOARDS.

Every person, firm, or corporation, which is engaged or engages in the business of outdoor advertising by means of sign boards, poster boards, or printed bulletins, and any other outdoor advertising devices, erected upon grounds, walls, or roofs of buildings, shall pay a license tax of, per annum---------- $75.00

(a) Every person, firm, or corporation, owning or maintaining sign boards, poster boards, painted bulletins, printed advertisement bulletins, or other outdoor advertisements of any nature, shall have imprinted on the same the name of such person, firm, or corporation in sufficient size to be plainly visible and permanently affixed thereto.

(b) Distribution in the City of Asheville, or sign-tacking, advertising by tacking, pasting on poles, trees, buildings, fences, or other structures, except on licensed billboards, PROHIBITED.

(c) Advertising by use of brass bands or music, or by public announcements on the streets of the City, clowning, floats, etc.:

Per day----------	$ 5.00
Per week----------	25.00

ADVERTISING--DISTRIBUTORS OF SAMPLES, PRINTED ADVERTISEMENTS, AND CIRCULARS.

Every person, firm, or corporation, distributing samples, circulars, handbills, or other printed matter from house to house, anywhere within the corporate limits of the City of Asheville, shall pay a license tax of, per annum--------- $100.00

For one distribution, where the annual tax has not been paid--- 10.00

PROVIDED, that all distributions of handbills, circulars, or other printed matter shall be delivered to someone in each residence or business house, or shall be placed under the front door of each residence or business house, or between the front door of each residence or business house, or between the front door and the screen. Also, each person, firm, or corporation, distributing said circulars, handbills, or other printed matter, shall have the name of such person, firm, or corporation, on each handbill, circular, or other printed matter, in sufficient size to be plainly visible and permanently affixed thereto; and distribution of handbills, circulars, or other printed matter, other than provided in this proviso, is hereby PROHIBITED.

ADVERTISING-PLACARDS.

Every person, firm, or corporation, in, or on, whose premises, buildings, or place of business, placards or placed for advertising purposes, and who makes a charge therefor, shall pay a license tax of, per annum---------- $25.00

PROVIDED, that every person engaged in the business of operating street cars, and/or buses, and placing or allowing to be placed within or on such cars placards for advertising purposes, and making a charge therefor, shall pay a license tax of, per annum---------- $75.00

ADVERTISING BY USE OF PICTURE MACHINES.

Every person, firm, or corporation, operating a moving picture machine, and selling the use of the same for advertising purposes, shall pay an annual license tax as follows:

(a) In each place where the advertisement is run, having a seating capacity of less than three hundred (300)---------- $20.00

(b) In each place where the advertisement is run, having a seating capacity of three hundred (300) and less than one thousand (1,000)----- 35.00

(c) In each place where the advertisment is run, having a seating capacity of one thousand (1,000) or over---------- 50.00

ADVERTISING BY WAGON OR VEHICLE DRIVEN THROUGH STREETS WITH ADVERTISING SIGNS.

Per annum----------	$50.00
Per month----------	25.00
Per day----------	5.00
NOT PRORATED.	

PROVIDED, that no tax shall be collected where persons advertising place signs on their own vehicles, or for advertisement of football or baseball games.

PROVIDED, further, that theprovisions of this section shall apply to all itinerants as defined herein who place advertisement signs on their vehicles.

AGENTS NOT SPECIFICALLY TAXED.

Every person engaged in business as an agent, having the agency for the manufacturer, producer, or distributor, and not specifically taxed by some other section of the License Schedule, shall pay a license tax of, per annum----- $12.50

AGRICULTURAL IMPLEMENTS AND MACHINERY.

Every person, firm, or corporation, engaged in the business of selling agricultural implements and machinery, shall pay a license tax of, per annum $25.00

AMUSEMENT DEVISES (SEPARATE FROM A CARNIVAL).

See "Riding Devices".

AMUSEMENT PARKS.

Every person, firm, or corporation, engaged in the business of operating a park open to the public as a place of amusement, in which there may be either a bowling alley, trained animal show, penny or nickel machine for exhibiting pictures, moving pciture show, theatrical performance, or similar entertainment, shall pay for the privilege of conducting such amusement park, a license tax as follows:

Municipal license for two (2) months or less----------	$200.00
Municipal license for four (4) months----------	400.00
Municipal license for eight (8) months----------	600.00
Municipal license for twelve (12) months----------	800.00

PROVIDED, the payment of the tax shall not authorize the operation of a carnival, circus or show of any kind that moves from place to place.

ANTIQUE FURNITURE OR ORIENTAL GOODS--DEALERS IN.

Per annum----------	$ 50.00
Itinerant, per annum----------	100.00

ANTIQUE SHOPS.

Any person, firm, or corporation, selling or distributing what is commonly termed antiques, shall pay a license tax of, per annum---------- $ 25.00

ARCADES, PENNY PARLORS, PEEP SHOWS.

Each, per annum---------- $200.00
NOT PRORATED.

ARCHITECTS.

Exempt by State Statutes.

ART GOODS, MANUFACTURERS OR DEALERS IN.

Resident, retail dealers----------	$ 10.00
Itinerant----------	100.00

ASPHALT OR ASPHALT SUPPLIES ONLY.

Dealers, sellers, or distributors in, each, per annum, $100.00
PROVIDED, when building material tax is paid, no addition tax shall be collected under this section.

ATHLETIC SUPPLIES.

Every person, firm, or corporation, selling or distributing athletic supplies or sporting goods, exclusively, shall pay a license tax of, per annum $25.00
PROVIDED, that any person, firm, or corporation selling athletic supplies, but not engaged exclusively in selling athletic supplies or sporting goods, shall pay a license tax of, per annum---------- $10.00

ATTORNEYS.

Exempt by State Statutes.

AUCTIONEERS.

(a) Every person, firm, or corporation, that conducts auction sales of anything other than real estate, shall pay an annual license tax of, as follows:

Residents, each, per year----------	$ 10.00
Itinerants, each, per day----------	5.00
Itinerants, each, per week----------	10.00

(b) Every person, firm, or corporation, that conducts auction sales of real estate for profit, shall pay a license tax of:

Residents, each, per year----------	$ 50.00
Itinerants, each, per year----------	100.00
Itinerants, each, per day----------	50.00
NOT PRORATED.	

AUTOMOBILE, MOTORCYCLES, AND MOTOR VEHICLES, DEALERS: AND SERVICE STATIONS.

(a) Automobile Service Stations: Every person, firm, or corporation, engaged in the business of servicing, storing, painting, or upholstering of motor vehicles, trailers, or semi-trailers, or engaged in the business of retailing, selling and/or delivering of any tires, tools, batteries, electrical equipment, automotive accessories or supplies, including radios designed for exclusive use in automobiles, motor fuel and/or lubricants, or any such commodities, shall pay for each location where such business is carried on, a license tax of, per annum---------- $ 12.50

(b) Automobile Service Stations, on Sidewalks or Streets: Every person, firm, or corporation, engaged in the business of operating any gasoline or oil pump located on any street or sidewalk, whether such pump is used in connection with any other business or not, and whether such pump is regularly used for the sale of gasoline, or oil, or not, shall pay therefor an annual license tax of, per pump---------- $ 50.00
PROVIDED, all such tanks must be installed under the direct supervision and according to the instructions of the Director of Public Works. A permit to install same must be obtained from the City Manager. The Council reserves the right, however, to prohibit the installation of such tanks on public property within the congested district of said municipality. This tax is for the right to use the sidewalk and is in addition to taxes levied by this ordinance on Automotive Service Stations.

(c) Automobile Equipment and Supply Dealers at Wholesale: Every person, firm or corporation, engaged in the business of buying, selling, distributing, exchanging and/or delivering automobile accessories, parts, tires, tools, batteries, and for other automobile equipment or supplies, or any of such commodities at wholesale, shall pay for each location where such business is carried on, a license tax for every place of business of, per annum---------- $ 62.50
At retail---------- 25.00
PROVIDED, where the wholesale tax is paid the retail tax is not collectible.
PROVIDED, any person, firm, or corporation, engaged in the business enumerated in this section, and having no located place of business, but selling to retail dealers by use of some form of vehicle, shall pay for such license, on each vehicle carrying on such business, a tax of, per annum---------- $ 25.00

(d) Body or Top Builders: Every person engaged in the business of building bodies or tops for automobiles, busses, or trucks, including necessary curtains, shall pay therefor a license tax of, per annum---------- 12.50

(e) Curtain Manufacturers: Every person, engaged in the business of manufacture of curtains for automobiles, busses, or trucks, and not building bodies or tops for such automobiles, busses, or trucks, shall pay therefor a license tax of, per annum---------- 12.50

(f) Motorcycle Dealers: Every person engaged in the business of buying, selling, distributing and/or exchanging motorcycles or motorcycle supplies, or any such commodities, shall pay therefor a license tax of, per annum---- 10.00

(g) Motor Vehicle Dealers: Every person engaged in the business of buying, selling, distributing, servicing, storing, and/or exchanging motor vehicles, trailers, semi-trailers, tires, tools, batteries, electrical equipment, lubricants, and/or automotive equipment and supplies, shall pay for each location at which such business is carried on, a license tax of, per annum---------- 50.00

PROVIDED, that persons, firms, or corporations, dealing in second-hand or used motor vehicles exclusively, shall be liable for only-------- $ 25.00

(h) Automobile Equipment, Used Parts: Every person, firm, or corporation buying and selling second-hand, used parts for automobiles, or repairing automobiles, shall pay a license tax for each business of, per annum------ 12.50

(i) Automobile Finance Companies: Every person, firm, or corporation, engaged in the business of financing, refinancing, or lending money, funds, or credit, upon the purchase or repurchase of automobiles, or other vehicles, and receiving chattel mortgages, assignment of title, or any other form of security for such financing and refinancing, shall pay a license tax of, per annum---------- $100.00

AWNINGS AND TENTS.

Every person, firm, or corporation, operating any business of manufacturing, selling, installing, or erecting tents or ownings, shall pay a license tax of:

Per annum----------	$ 50.00
Itinerants, each----------	100.00

NOT PRORATED AS TO ITINERANTS.

"B"

BAKERY PRODUCTS, CAKES, CRACKERS, AND DOUGHNUTS.

(a) Every person, firm, or corporation, operating a bakery or preparing or manufacturing cakes, crackers, or doughnuts, shall, if selling at retail, pay a license tax of, per annum---------- $ 25.00

(b) Selling bakery products, including bread, crackers, or cakes, and doughnuts, at wholesale, per annum---------- 125.00

PROVIDED, that any person, firm, or corporation, selling and delivering bakery products, including cakes, crackers, or doughnuts, manufactured outside of the City, shall pay for each vehicle used in delivering such products within the City, a license tax of, per annum---------- 75.00

PROVIDED, further, that this tax shall not apply to merchants selling bakery products, cakes, crackers, or doughnuts, in connection with a regular merchandising business and, provided, further, that it shall be unlawful for any person, firm, or corporation selling or delivering bakery products, after the passage of this ordinance to sell or deliver any such products from a vehicle unless such vehicle shall have plainly and visibly painted on it the name of the person, firm, or corporation, operating same, together with the name of the city where such bakery products are manufactured and to also procure from the Health Officer a "Bakery Delivery Permit", the number of which permit must be on such vehicle.

Doughnuts, retail sales only, per annum----------	10.00
Doughnuts, wholesale sales only, per annum----------	25.00
Bakery products, small pies at retail, not over 5 cents, per annum	10.00

The foregoing shall not be collected from restaurants, on which restaurant tax has been paid.

BALLOONS, NOVELTIES, SOUVENIRS, CURIOS, FLAGS, ETC.

Every individual selling or offering for sale balloons, novelties, souvenirs, curios, flags, needles, sewing equipment, paring knives, cooking utensils, or other instruments, for the preparation of foods, or other classes of merchandise not specifically licensed or taxed herein, or ice cream, soft drinks, lunches, and fruits, shall pay a license tax of:

Per day----------	7.50
Per week----------	15.00
Per month----------	50.00

PROVIDED, that such tax shall not apply to any merchant selling said articles as part of a regular merchandise business and paying the tax prescribed for merchants; and provided, that no person shall sell any food products under this section without first obtaining a written permit from the Health Officer.

BANKRUPT OR FIRE STOCK.

Every itinerant salesman or merchant who shall expose for sale, either on the street or in a house or store building rented temporarily for that purpose, any goods, wares, merchandise, bankrupt stock, or fire stock, not being a regular merchant in the City, shall apply for in advance and procure a license for the privilege of transacting such business and shall pay for such license a tax of, per annum---------- $100.00
NOT PRORATED.

PROVIDED, that such tax shall not apply to any receiver or trustee conducting a bankrupt sale under order of Court.

BANKS AND TRUST COMPANIES.

Every person, firm, or corporation, engaged in the business of operating any general banking or trust business, and such other business as is ordinarily conducted in connection with banks and trust companies, shall pay a license tax as follows:

If its capital stock does not exceed $100,000.00, per annum	$ 50.00
If its capital stock exceeds $100,000.00, but does not exceed $200,000.00 per annum----------	100.00
If its capital stock exceeds $200,000.00, but does not exceed $300,000.00 per annum----------	150.00
If the capital stock exceeds $300,000.00, but does not exceed $500,000.00, per annum----------	300.00
If the capital stock exceeds $500,000.00, per annum----	400.00

BANKS--MORRIS PLAN OR INDUSTRIAL.

(a) Every person, firm, or corporation, engaged in the business of operating a Morris Plan or Industrial Bank, shall pay for the privilege of engaging in such business the following tax:

When the total resources, as of December 31, of the previous year, are less than $250,000.00---------- 37.50

$ 250,000.00 and less than $ 500,000.00----------	75.00
500,000.00 and less than 1,000,000.00----------	112.50
1,000,000.00 and less than 2,000,000.00----------	150.00
2,000,000.00 and less than 5,000,000.00----------	225.00
5,000,000.00 and over----------	300.00

(b) Every person, firm, or corporation, engaged in the business of soliciting loans or deposits for Morris Plan or other Industrial Banks, shall pay a license tax of, per annum---------- $25.00

Any bank that shall begin business during thecurrent tax year, the tax shall be calculated on the total resources at the beginning of the business.

BARBER AND/OR BEAUTY COLLEGES.

Per annum---------- $5.00

BARBER SHOPS, BEAUTY SHOPS, OR PARLORS.

Every person, firm or corporation, engaged in thebusiness of conducting a barber shop, beauty shop, or other parlor of like kind, shall pay the following tax:

For every barber chair maintained in barber shop, whether chair is in use or not, per annum----------	2.00
For each operator in beauty shop, parlor, or other shop of like kind in any office, hotel, or other place, per annum----------	5.00
Itinerant Massage Operator, per day----------	5.00

BARBER OR BEAUTY SHOP SUPPLIES.

Every person, firm, or corporation, engaged in the selling of barber or beauty shop supplies, shall pay a license tax of, per annum---------- 25.00

BARREL, CRATE, OR BASKET FACTORIES.

Each, per annum---------- $5.00

BATH HOUSES.

Every person, firm, or corporation, operating or maintaining a bath or massage establishment, shall pay a license tax of, per annum---------- 50.00

Every person, firm, or corporation, operating a bath house in conjunction therewith, per tub or shower, each, per annum---------- 5.00

BEAUTY SHOPS OR PARLORS.

See "Barber Shops".

BED MANUFACTURERS.

Each, per annum---------- $5.00

BEER AND OTHER BEVERAGES.

Regulated by City Ordinance No. 188.

BICYCLES.

Each dealer or agent selling, supplying, repairing or renting,
Per annum---------- 1?.50

BILLBOARDS, ADVERTISING BY USE OF.

See "Advertising".

BILLIARD AND POOL.

Every person, firm, corporation, association, club, or organization, by whatsoever name called, who shall rent, own, run, maintain, or operate, a table or tables on which billiards, pool, or snooker, is played, whether operated by slot or otherwise, shall pay, per annum, for the privilege of operating such billiard, pool, or snooker tables, a license tax for each table, as follows:

Tables measuring not more than 2 feet wide and 4 feet long	2.50
Tables measuring not more than 2½ feet wide and 5 feet long	5.00
Tables measuring not more than 3 feet wide and 6 feet long	7.50
Tables measuring not more than 4 feet wide and 8 feet long	12.00
Tables measuring 4½ feet wide and 9 feet long, and larger	20.00

PROVIDED, that in the event there should be kept, maintained, and operated any table or tables whose measurements eit er by width or length are in excess of any of the dimensions in the schedule above enumerated, then and in such event such table or tables so kept, maintained, and operated, shall pay a license tax at the rate of the next larger size table above classified.

BINDERS OF BOOKS.

Including job printing, each, per annum----------	30.00
Not including job printing, each, per annum----------	15.00

BIRDS.

Every person, firm, or corporation, selling live birds,
per annum---------- 10.00

PROVIDED, that when pet shop license tax has been paid, no bird license shall be collected.

BLOCKS, CEMENT.

See "Cement Blocks".

BLOWING MACHINES, LIFTING MACHINES, OR ANY EXHIBITION OR PERFORMANCE OF LIKE CHARACTER.

Each, per day---------- 50.00

BLUE PRINT SHOPS.

Every person, firm, or corporation, making or selling or distributing blueprints each, per annum---------- 25.00

BOARDING HOUSES.

See "Hotels, and Boarding Houses".

BOATS AND BOAT SUPPLIES.

Every person, firm, or corporation, selling boats and/or boat supplies, and/or equipment for boats, shall pay a license tax of, per annum---- 25.00

BOND MAKERS.

(a) Every person, firm, or corporation, who justifies on any civil bond or makes a bond of any civil nature whatsoever for any other person, firm, or corporation, for profit, shall pay a license tax of, per annum---------- $50.00

(b) Every person, firm, or corporation, who justifies on any criminal bond or makes an appearance bond for a defendant in the Criminal Courts within the City of Asheville, and receives compensation therefor, shall pay a license tax of, per annum---------- 50.00

PROVIDED, that in the event any person, firm, or corporation, engages in the business of justifying on or making both civil and criminal bonds for profit, then and in such event, such person, firm, or corporation shall pay an annual tax of---------- 75.00

BOOK AGENTS.

Per annum---------- 25.00
Per day---------- 2.50
NOT PRORATED.

Each agent shall always carry the license receipt issued and show the same when called to do so by anyone whom such agent calls on for the purpose of making a sale or demonstration.

BOOKBINDERS.

See "Binders of Books".

BOOK STORES AND STATIONERS.

Every person, firm, or corporation, engaged in the business of selling books and stationery, where fifty (50%) per cent or more of the business is derived from the sale of books and stationery, shall pay a license tax of, per annum 25.00

BOOTBLACK STANDS.

Every person, firm, or corporation, operating any shoeshine parlor or other place open to thepublic for the shining of shoes, shall pay a license tax thereon as follows:

Where the stands, chairs, seats, boxes, or pair of foot-rests designed for the use of bootblacks in shining shoes, and kept in such parlors or places of business, whether regularly used or not, deos not exceed two---------- 2.00
Where the number is more than 2 and less than 6------ 6.00
Where the number is 6 and less than 10---------- 10.00
Where the number is 10 or more---------- 15.00

BOTTLING WORKS.

(a) Every person, firm, or corporation, manufacturing, producing, bottling, or distributing in bottles, or other closed containers, soda water, coca-cola, pepsi-cola, gingerade, chero-cola, Dr. Pepper, grape, and other fruit juices, or imitations thereof, carbonated, or malter beverages, and like preparations, commonly known as soft drinks, shall pay a special license tax under the following schedule, to-wit:

LOW PRESSURE EQUIPMENT:

Where the machine or the equipmentunit used in the manufactureof the above named beverages is a:

36 spouts, or greater cap'y, low pressure filler------- 150.00
32 and less than 36 spouts, low pressure filler-------- 125.00
24 and less than 32 spouts, low pressure filler-------- 112.50
18 and less than 24 spouts, low pressure filler-------- 87.50
12 and less than 18 spouts, low pressure filler-------- 62.50

HIGH PRESSURE EQUIPMENT:

Where the machine or the equipment unit used in themanufacture of the above named beverages is a:

Royal (8-head); Shields (6-head); Adriance (6-head); or other high pressure equipment having manufacturers' rating capacity of over 60 bottles per minute---------- 150.00

Royal (6-head); Daleson (6-head); or other high pressure equipment having manufacturers' rating capacity of over 50 and less than 60 bottles per minute---------- 125.00

Royal (4-head); Adriance (2-head); Shields (2-head); (full-automatic), or other high pressure equipment having manufacturers' rating capacity of more than 40 and less than 50 bottles per minute---------- 112.50

Dixie (automatic); Shields (2-head hand feed); (1-head); Calleson (1-head); Senior (high pressure); Junior (high pressure); or Burns' or other high pressure equipment having manufacturers' rating capacity of more than 24 bottles and less than 40 bottles per minute---------- 37.50

Single-Head Shields, Modern Bond (power), Baltimore (semi-automatic), and all other machines, or equipment, having manufacturers' rating capacity of less than 24 bottles per minute, and all foot power bottling machines----- 25.00

PROVIDED, that any bottling machine or equipment unit is not herein specifically mentioned shall bear the same tax as a bottling machine or equipment unit of the nearest rated capacity as herein enumerated; provided, that where any person, firm, or corporation, or association, has within his bottling plant or place of manufacture more than one obttling machine or equipment unit, then such person, firm, or corporation, or association, shall pay the tax as herein specified upon every such bottling machine or equipment unit whether in actual operation or not.

(b) Every person, firm, corporation or association, distributing at wholesale, or jobbing, bottled beverages, as enumerated in sub-section (a), shall pay an annual license tax of---------- 87.50

PROVIDED, however, that where the tax levied under sub section (a) has been paid on any of the articles, machines, or equipment units enumerated therein, the tax levied under this sub-section shall not apply, nor shall any tax be collected on account of the delivery of the products, beverages, or articles enumerated in sub section (a) and (b), upon a tax has been paid under sub-section (a) or (b).

(c) Aerated, mineral, or other waters, selling or delivering in the City, per annum---------- $50.00

(d) Itinerant dealers, selling or delivering to retailers bottled soft drinks or waters, shall pay a license tax of, per month---------- 50.00

And, in addition to the above tax, for each vehicle operated in connection with, per vehicle---------- 15.00

BOWIE KNIVES.

Any person, firm, or corporation, who shall keep in stock, or offer for sale, any bowie knives, dirks, daggers, slingshots, loaded canes, or brass, iron or metallic knuckles, shall pay a license tax of, per annum---------- 200.00

BOWLING ALLEYS.

Every person, firm, corporation, association, club, or organization, by whatsoever name called, who shall own, rent, maintain or operate a bowling alley or alleys, shall pay on each alley so owned, rented, kept, maintained, or operated, per annum---------- 15.00

BOX FACTORIES.

Per annum---------- 25.00

BRANCH AND CHAIN STORES.

See "Chain and Branch Stores".

BRASS BANDS, ADVERTISING BY THE USE OF.

See "Advertising, Outdoor", Sub-section (c)

BRASS KNUCKLES.

See "Bowie Knives".

BROKER, COTTON.

Every person, firm, or corporation, engaged in the business of buying and/or selling on commission any cotton, grain, provisions, or other commodities, either for actual, spot, or instant delivery, shall pay a license tax of, per annum 50.00

BROKERS, LOAN AGENTS.

See "Loan Agents or Brokers".

BROKERS, LUMBER.

See "Lumber Agents".

BROKERS, MERCHANDISE AND STOCK.

On every commission merchandise broker or dealer engaged in the buying and selling of goods and merchandise on commission and/or brokerage, a license tax shall be paid of, per annum---------- $5.00

BROKERS, PAWN.

On every person, firm, or corporation, engaged in lending money or other things for profit, or on account of specific articles of personal property deposited with the lender in place, a license tax of, per annum---------- 100.00

Applicants for pawnbrokers' license must apply to the City Manager, in person, for license; and file bond with a company licensed to do such business in the State of North Caroline as surety conditioned as the said Council may determine; which bond must be approved by the Solicitor of the Police Court; provided, every pawnbroker shall make a daily report to the Chief of Police, such report to give an accurate record of each individual article received or deposited as surety, showing name and address of owner, description of article, sufficient for identification, amount advanced for same, such report to be made in a clear, legible hand or on a typewriter. Any person, firm or corporation, transacting the business of pawnbroker without a license, as provided in this section, or violating any of the provisions of this section, shall be guilty of a misdemeanor, and fined not less than fifty ($50.00) dollars.

BROKERS, STOCK.

Every dealer in stocks, bonds, orother securities, whether engaged in buying or selling on commission, or buying outright, shall pay a license tax of, per annum---------- 50.00

BUILDING & LOAN ASSOCIATION.

Every Building & Loan Association, domestic or foreign, operating on a mutual or co-operative basis for the purpose of making loans to its members only, and of enabling its members to acquire real estate, make improvements thereon, and remove encumbrances therefrom by the payment of moeny in periodical installments or principal sums, and for the accumulation of a fund to be returned to members who do not obtain advances for such purposes, shall pay an annual license tax as follows:

A tax of one (1¢) cent on each one hundred ($100.00) dollars of actual book value of shares of stock issued and outstanding on the 31st day of December 1933, as shown by reports of such association to the Insurance Commissioner, and approved by said Commissioner.

BUILDING MATERIAL.

(a) Every person, firm, or corporation, engaged as a dealer in lumber or other building materials, shall pay a license tax of, per annum---------- 50.00

(b) Building Material Brokers: Every person firm, or corporation, engaged in the brokerage of building materials, shall pay a license tax of, per annum---------- 50.00

(c) Every person, firm, or corporation, hauling or delivering lumber or building material in the City of Asheville, not having paid the tax in Sub-section (a) and (b), shall pay the following tax:

On each one-ton truck or less	$50.00
On each truck over one ton	75.00
On each two-horse wagon	24.00
On each one-horse wagon	15.00

BUTCHER SUPPLIES.
Dealers in butcher supplies shall pay a license tax of, each, per annum---------- 50.00

BUYING AND SHIPPING OF TELEPHONE POLES, CROSSTIES, LOGS, TANBARK, ACID WOOD, OR SIMILAR ARTICLES--OFFICE ONLY.
Each, per annum---------- 25.0

"C"

CABINET OR FURNITURE REPAIR SHOPS.
Per annum---------- 15.00

CAKES AND CRACKERS.
See "Bakery Products".

CAMERAS AND KODAKS.
Every person, firm, or corporation, selling or renting cameras or kodaks, per annum---------- 5.00

CANDY MANUFACTURING OR CANDY KITCHENS.
Every person, firm, or corporation manufacturing candy or other confections, each, per annum---------- 50.00

CANDY.
At wholesale, where twenty (20%) per cent of the business doneis the selling of candy, per annum---------- 75.00
At wholesale, where less than twenty (20%) per cent of the business done is the selling of candy, per annum---------- 10.00
Every person, firm, or corporation, selling candy at retail, shall pay a license tax of, per annum---------- 2.50
On each truck delivering candy or chewing gum or peanut products of other confec or tobacco products, for concerns which have not paid the wholesale tax herein levied, per annum---------- 50.00

CANES, LOADED.
See "Bowie Knives".

CANE RACKS.
Racks for canes or knives, each, per day---------- 15.00

CANVASSERS.
Every person, firm, or corporation engaged in the business of canvassing, per annum---------- 5.00
NOT PRORATED.
A canvasser shall mean anyone who solicits orders for business, or calls from house to house anywhere within the corporate limits of the City of Asheville.

CAP PISTOLS.
See "Fire Works".

CARBIDE MANUFACTURERS OR DISTRIBUTORS.
Every person, firm, or corporation, engaged in the business of manufacturing or selling or distributing carbide, per annum---------- 15.00

CARNIVAL COMPANIES.
Every person, firm, or corporation, engaged in the business of a carnival compa or a show of like kind, moving pictures, and vaudeville shows, museum and menageries, merry-go-rounds, ferris wheels, riding devices, and other like amusements and enter- prises, conducted for profit, under the same general management; or an aggregate of shows, amusements, eating places, riding devices, or any of them operating together o the same lot or contiguous lot or streets, traveling from place to place, whether own and actually operated by separate persons, firm, or corporations, or not, filling wee stand engagements, or giving week-stand exhibitions, under canvas or not, or a part o a week, shall pay for theprivilege of engaging in such business or amusements, for ea week or part of a week, the following tax:
Consisting of not more than two distinct attractions, per week or part thereof---------- 200.00
Consisting of two and not more than five distinct attractions, per week or part thereof---------- 300.00
Consisting of more thanfive distinct attractions, per week or part thereof---------- 400.00
PROVIDED, before any carnival company shall give any performance or exhibition or open for the conduct of business within the corporate limits of the City of Ashevi an application in writing shall be made to the City Council, verified by the owner o manager of such carnival company, and giving the following information:
The name of the owner of such carnival company, andin the event such owner is corporation, the state where chartered, and its office or principal place of busines together with names of the officers of such corporation, or if a partnership, the na of all the partners; also, the route for a period of three weeks following the playi in the City of Asheville.
Only one carnival will be licensed to play within the corporate limits of the City during any one month, and in the event of the granting of any license permit, o such permit shall authorize only the operation of the exhibition known as "shows", o "rides", and the operation of any gambling games, including "wheels", "stores", or other concessions, are expressly prohibited, and the right is hereby reserved to ref any and all applications for permits, and in no event will any rebates, reductions f the tax lievied, be made for any cause or purpose whatsoever.

A cash deposit of fifty dollars will be required rrom each carnival before "setting up" on lot, to defray the expenses of the Sanitary Department for cleaning up the lot used. The actual cost of cleaning will be charged and a refund will be made in the event of any surplus.

CARPET OR RUG CLEANING.
Per annum---------- $25.00
Where license is paid under "Cleaning or Pressing Club Establishments", tax not collectible under this section.

CASKETS, COFFINS--DEALERS IN.
Every person, firm, or corporation, engaged in the business of burying and/or embalming the dead, or in the retail of coffins, caskets, or other funeral supplies, shall pay a license tax of, per annum---------- 100.00
PROVIDED, this section shall not apply to cabinet-maker who is not an undertaker, who makes coffins to order, nor to licensed embalmers.

CEMENT BLOCKS.
Manufacturers of cement bloacks, or pipe manufacturers, each, per annum---------- 25.00

CEREAL MANUFACTURERS.
Every person, firm, or corporation, manufacturing cereals, shall pay a license tax of, per annum---------- 25.00

CHAUTAUQUAS AND ENTERTAINMENTS--CHARITABLE.
Per week or part week---------- 20.00
All exhibitions or entertainments given for the sole benefit of religious, charitable or educational objects, shall be exempt from taxation.
PROVIDED, that when operas, chautauquas, star courses, or theatrical troupes, are employed, such as usually appear in licensed halls, then the tax shall be the same as that imposed on traveling theatrical companies performing in unlicensed halls.
PROVIDED, further, that no tax shall be charged for any exhibition, or entertain ment for the sole benefit of religious, charitable, or educational objects, and given in halls used at the time exclusively for such objects, nor for exhibitions given at city parks when no charges for admission are made.

CHAIN AND BRANCH STORES.
Every person, firm, or corporation, engaged in the business of operating or main- taining, under the same general management, supervision, or ownership, two or more stores or mercantile establishments in the state, where goods, wares and/or merchandise are sold, or offered for sale at retail, shall be deemed a branch or chain store operator. On each and every such store operated, a license tax shall be paid of, per annum---------- 50.00

CHEMISTS, MANUFACTURER.
Each, per annum---------- 15.00

CHEWING GUM, DEALERS IN.
See "Candy".

CHICKENS, BABY.
Every person, firm, or corporation, selling from their business establishment any chickens under six weeks of age, shall pay a license tax of per annum---------- 5.00
NOT PRORATED.

CHINA AND QUEENSWARE.
Every person, firm, or corporation, engaged in the business of selling china and queensware, shall pay a license tax, per annum, as follows:
Where 75% of the business is derived from the sale of such articles---------- $5.00
Where less than 75% of the business is derived from the sale of such articles---------- 5.00

CIGARS, CIGARETTES, AND TOBACCO--RETAILERS AND JOBBERS.
Every person, firm, or corporation, manufacturing cigars, cigarettes, chewing tobacco, smoking tabacco, snuff, or any other tobacco products, shall pay a license tax of, per annum---------- 10.00
Every person, firm, or corporation, engaged in the business of retailing cigars, cigarettes, chewing tobacco, smoking tobacco, snuff, or any other tobacco products, shall pay a license tax of, per annum---------- 5.00
Every person, firm, or corporation, engaged in the business of retailing, whole- saling, and/or jobbing cigars, cigarettes, chewing tobacco, smoking tobacco, snuff or any other tobacco products, shall pay a license tax of, per annum 10.00

CIRCUSES.
Every person, firm, or corporation, engaged in the business of exhibiting perfor- mances, such as a circus, menagerie, wild west show, dog and/or pony show, or any other show, exhibition, or performance similar thereto, shall pay the following tax for each day or part thereof;
(a) Such shows and/or exhibitions traveling on railroads and requiring trans- portation of:

Not more than two cars	15.00
Three to five cars, inclusive	22.50
Six to ten cars, inclusive	45.00
Eleven to twenty cars, inclusive	62.50
Twenty-one to thirty cars, inclusive	87.50
Thirty-one to fifty cars, inclusive	125.00
Over fifty cars	150.00

(b) Such shows and/or exhibitions traveling by automobiles, trucks, or other vehicles, other than railroad cars, and requiring transportation by:

Not over two vehicles	$ 6.25
Three to five vehicles	8.75
Six to ten vehicles	12.50
Eleven to twenty vehicles	15.00
Twenty to thirty vehicles	20.00
Thirty to fifty vehicles	27.50
Over fifty vehicles, per vehicle in excess thereof	2.50

(c) Each sideshow, curiosity show, or other similar show, exhibiting on the same or contiguous lots with a circus, the tax shall be,
per day or part of a day 7.50

And each separate tent shall be regarded as a sideshow and shall pay the license tax hereinbefore provided.

The payment of the foregoing tax shall permit only the exhibition known as the "sideshow", or in circus parlance, the "kid show". Before any permit for the licensing of any circus, menagerie, wild west show, or day and pony show will be given, an application must be made to the City Manager, which application must show thename and title of the circus or other exhibition, the manager thereof, the owner or operators of the same, and,if a corporation, the principal office or place of business, and the officers thereof, and the route of such circus or exhibition for the six days following any performance in Asheville; and if such route is not determined at the time of such application, it must be filed before giving any performance within the City; the number of cars, including "advance cars", the lot upon which the "big top", "cook house", stables, and other tents and equipment will be placed; whether a parade will be given or not; the articles of merchandise to be vended, and the retail price thereof; which application must be sworn to and subscribed before an officer authorized to administer an oath; provided, further, that the tax shall be based on the report of the State Treasurer or an actual count of cars by the Director of Finance and the payment of a license on the man and sideshows shall not authorize or permit the operation or the sale of any concessions, soft drinks, or other merchandise without payment of the tax specifically designated herein upon such sales, and the sale of any and all food-stuffs shall be under the supervision of the Health and Sanitary Departments, and all ordinances regulating the handling of food shall apply to sales by any circus, their servants, agents, employees, or concessionaries.

PROVIDED, further, that a cash deposit of fifty ($50.00) dollars will be required from each circus or exhibition before "settingup" on lot, to defray the expenses of the Sanitary Department for cleaning up the lot used. The actual cost of such cleaning will be charged and refund will be made in the event of any surplus. A deposit to cover cost of water used from the city supply will be required in accordance with the size of the circus.

CLAIM OR COLLECTION AGENCIES.

Every person, firm, corporation, or association, engaged in the business of operating a collection agency for the purpose of collecting accounts, bills, notes, or any other indebtedness from one person in favor of another, shall pay a license tax of, per annum 20.00

PROVIDED, that this section shall not apply to a regularly licensed practicing attorney-at-law.

CLEANING AND PRESSING ESTABLISHMENTS.
See "Pressing Clubs".

CLEANERS OR DYERS OF HATS.
See "Pressing Clubs".

CLOTHING --MERCHANTS.

Every person, firm, or corporation, engaged in the business of selling women's, men's, boys' and/or girls' apparel, at retail, shall pay a license tax,
per annum 30.00
Where the gross sales are less than $3,000.00 per year-- 10.00

CLOTHING- SECOND-HAND.

Dealers in second-hand clothing shall pay a license tax of,
per annum 25.00

PROVIDED, that all such dealers shall secure a permit from the Health Officer.

COAL AND COKE DEALERS.

(a) Wholesale: Every person, firm, or corporation, either as agent or principal, engaged in and conducting the business of selling coal or coke in carload lots, or in greater quantities, shall be deemed a wholesale dealer, and shall pay a license tax of, per annum 75.00

NOT PRORATED.

PROVIDED, that if such wholesale dealer shall also sell coal or coke in less than carload lots, he shall not be subject to the retailers' license tax provided in Sub-section (b) hereof.

(b) Retail: Every person, firm, or corporation, engaged in the business of selling coal or coke at retail, shall pay for each place of business, having railroad facilities, from which such coal or coke is sold or delivered, a license tax according to volume of business, as follows:

Those who handle 75 cars or less per year	35.00
Those who handle more than 75 cars and less than 125 cars per year	45.00
Those who handle 125 cars and less than 175 cars per year	55.00
Those who handle 175 cars and less than 225 cars per year	65.00
Those who handle 225 cars or more per year	75.00

(c) Retail: Every person, firm, or corporation, engaged in the business of selling coal or coke at retail, shall pay for each place of business, not having railroad facilities, a license tax of, per annum, as follows:

Where 5 tons or more are kept on hand at any one time	35.00
Where less than 5 tons are kept on hand at any one time	5.00

(d) Retail: Every person, firm, or corporation, engaged in the business of selling coal or coke at retail, and having sub-stations at which less than 5 tons are kept and have paid license taxes under (b) and/or (c), shall pay, for each sub-station, a license tax of, per annum 5.00

COCA-COLA, BOTTLING WORKS, MANUFACTURERS OF.
See "Bottling Works".

COFFEE
See "Tea, Coffee, and Sugar".

COFFEE ROASTERS.
Every person, firm, or corporation, engaged in operating one or more coffee roasting machines, shall pay a license tax of, per annum $25.00

COFFINS, CASKETS- DEALERS IN.
See "Caskets, Coffins, Dealers In."

COLD STORAGE WAREHOUSES.
On each person, firm, or corporation, operating a warehouse where cold storage is furnished for any purpose, a license shall be paid, per annum 125.00
Where this tax is paid no other warehouse tax shall be paid.

COMMERCIAL AGENTS.
Each, per annum 15.00

COMMERCIAL SCHOOLS.
See "Business Schools".

COMMISSION BUYERS AND SELLERS.
Every person, firm, or corporation, who or which engages in the business of buying and/or selling on commission any cotton, grain, provisions, or other commodities, either for actual, spot, or instant delivery, shall pay a license tax of
per annum 50.00

CONTRACTORS AND CONSTRUCTION COMPANIES.

(a) Building Contractors and Construction Companies: Every person who, as building contractor for a fixed price, commission, fee, or wage, offers or bids to undertake or to superintend the construction of any building, highway, street, sidewalk, bridge, culvert, sewer, water or draining system, electric or steam railway, reservoir or dam, hydraulic or power plant, transmission line or tower, excavation, or grading, or other improvement or structure, or any part thereof, shall pay a license tax of
per annum 20.00

(b) Electrical Contractors: Every electrical contractor holding a Certificate "A" and engaged in the business of wiring houses with electrical wiring or installing electrical apparatus of any kind, shall pay a license tax as follows:
If not more than three certified electricians are employed,
per annum 20.00
If more than three and less than six certified electricians are employed, per annum 30.00
If six or more certified electricians are employed, per annum 50.00

(c) Heating, Plumbing, Steam, Gas, Sprinkler, and other Pipe Fitting Contractors: Every person, firm, or corporation, engaged in business as a heating, plumbing, steam, gas, sprinkler, or other pipe fitting contractor, shall pay a license tax as follows:
If not more than three journeymen plumbers or fitters are employed,
per annum 20.00
If more than three and less than six journeymen plumbers or fitters are employed, per annum 30.00
If more than six journeymen plumbers or fitters are employed,
per annum 50.00

(d) Painting Contractors and Itinerant Smokestack and Structural Steel Painters: Every person, firm, or corporation, engaged in business as a painting contractor, shall pay a license tax for two or less workmen of, per annum 10.00
And shall pay for each additional workman, per annum 2.00
PROVIDED, however, that itinerant smokestack and structural steel painters shall pay a license tax of:
Per annum 15.00
Per month 2.50

(e) Plastering Contractors: Every person engaged in business as a plastering contractor shall pay a license tax of, per annum 10.00

(f) Sheet Metal, Tinning, Roofing, or Ventilating Contractor: Every person engaged in business as a roofing, sheet metal, tinning, ventilating contractor, or operating a tin shop, shall pay a license tax as follows:
If not more than three persons are employed, per annum 25.00
If more than three and less than six persons are employed,
per annum 30.00
If six or more persons are employed, per annum 50.00
PROVIDED, that such tax shall not apply to any person paying the tax prescribed by sub-section (c) of this section, for heating, plumbing, or steam-fitting contractors.
PROVIDED, further that the tax under this Sub-section (f) shall not be paid if the person, firm, or corporation, has paid the tax provided under the heading "Furnaces, Heaters in".

(g) Wrecking Contractors: Every person making any contract to demolish, wreck, or tear down any house or building, and every person engaged in the business of demolishing, wrecking, or tearing down houses or buildings, shall pay a license tax of,
per annum 25.00

(h) Contractors, Miscellaneous: Every person engaged in business as contractor, and not otherwise specifically taxed by this article, shall pay a license tax of,
per annum 15.00

COTTON BROKERS.
See "Brokers, Cotton".

COTTON MILLS.
Every person, firm, or corporation, operating a cotton mill, shall pay a license tax of, per annum 150.00

COUPON BOOKS.
Every person, firm, or corporation, issuing, selling and/or delivering books or other similar devices containing coupons or tokens of trade which may be presented at any business house and accepted as a discount, bonus, premium, or as an instrument to secure trade or patronage, shall pay a license tax of, per annum---------- $200.00

CREAMERIES, DAIRIES , AND MILK PASTEURIZERS.
(a) Each establishment shall pay a license tax of, per annum---------- 200.00
(b) On each motor vehicle hauling or delivering milk products, at retail or wholesale, a license tax shall be paid of, per annum-------- 15.00
(c) On each horse-drawn vehicle, a license tax shall be paid of, per annum---------- 7.50
PROVIDED , that where the $200.00 license is paid under Sub-section (a), the taxes under Sub-section (b) and (c) are not collectible.

"D"

DANCES.
Every person, firm, or corporation, operating a dance hall where admission is charged, or where a charge per dance is made, in the City of Asheville, shall pay a license tax of, per annum----------
Where the annual license tax is not paid, per dance--- 25.00
This tax shall apply to any place where dances are given, regardless of whether other tax is paid or for what purpose the proceeds are to be used. 2.00

DANCING SCHOOLS.
Every person, firm, or corporation, operating a dancing school, orplace for giving instruction in dancing, shall pay a license tax of, per annum 10.00

DECORATORS.
Every person, firm, or corporation, placing decorations or buntings on buildings, streets, or other places, for compensation, shall pay a license tax of:
Resident---------- 15.00
Itinerant---------- 75.00
NOT PRORATED.

DECORATORS, INTERIOR.
See "Interior Decorators".

DELICATESSENS.
Every person, firm, or corporation, operating a delicatessen stand, shall pay a license tax of, per annum----------
However, if restaurant service is given, a tax shall be paid as herein provided for restaurants. 25.00

DELIVERY AGENCIES.
Parcel or delivery companies shall pay a license tax, where automobile or trucks are used, of, per annum----------
PROVIDED, however, that persons, firm, or corporations, delivering packages, parcels, or bundles, by motorcycle, and charging for such service, shall pay a license tax of, per annum---------- 60.00
PROVIDED, further, that persons, firms or corporations, delivering packages, parcels, or bundles, and charging for such service, and using bicycles, or delivering by other means, shall pay a license tax of, per annum-------- 30.00
15.00

DENTAL SUPPLIES OR EQUIPMENT.
Every person, firm, or corporation, selling, distributing, and/or jobbing, dental supplies, shall pay a license tax of, per annum----------
PROVIDED, however, that the provisions of this sections shall not apply to licensed drug stores or licensed dentists. 50.00

DENTISTS.
Exempt by State Statutes.

DETECTIVE AGENCIES.
Each, per annum---------- 20.00
Each employee of any agency, per annum---------- 5.00

DEVICES, TRADING STAMPS, ETC.
On every person, firm, or corporation, engaged in the business of issuing, selling and/or delivering trading stamps or checks, receipts, certificates, tokens, or other similar devices, or persons engaged in trade or business with the understanding or agreement expressed or implied that the same shall be presented or given by the latter to their patrons as a discount, bonus, premium, or as an inducement to secure trade or patronage, and that the person, firm, or corporation, selling and/or delivering the same will give the persons presenting or promising the same, money or thing of value, or a commission or preference in any way on account of possession or presentation thereof, license tax of, per annum----------
(a) This section shall not be construed to apply to a manufacturer or to a merchant who sells the goods, wares, or merchandise of such manufacturer offering to present to the purchaser or customer a gift of certain value as an inducement to purchase such goods, wares or merchandise. 200.00

DIRECTORIES.
Every person, firm, or corporation, compiling, selling, or delivering city directories, shall pay a license tax of, per annum---------- 10.00

DOGS.
Each, per annum (male and spaded demale)---------- $ 1.00
Each, per annum (female)---------- 1.50
Duplicate tags each---------- .50
PROVIDED, that any dog caught on the streets of the City of Asheville, shall be impounded and an impounding fee of $1.00 shall be paid in addition to the license prescribed in this ordinance, and if the dog is not called for within five days, the owner shall have no claim on said dog.
If the license on dogs are not paid within five days from date of levy, the dog disposed of, the owner will be subject to a summons to the Police Court of the City of Asheville.
Any dog catcher disposing of any dog except through the Asheville Pound, shall be guilty of a misdemeanor upon conviction.
Ten dogs or more, see "Kennels".

DOUGHNUTS.
All Brown Bobby or doughnut machines, each, per annum 25.00

DRUG STORE LUNCHES.
See "Restaurants".

DRYGOODS AND/OR NOTIONS AT WHOLESALE.
Every person, firm or corporation, selling drygoods and/or notions at wholesale, shall pay a license tax of, per annum---------- 25.00

DYERS.
See "Pressing Clubs".

"E"

EGGS.
See"Poultry and Eggs".

ELECTRICAL ENGINEERS.
Exempt by State Statutes.

ELECTRICAL EQUIPMENT, FIXTURES, OR SUPPLIES.
Every person, firm, or corporation, selling or distributing any electrical equipment, supplies, or fixtures, where 75% of the business done is electrical equipment, fixtures, or supplies, shall pay a license tax of, per annum 25.00
Where less than 75% of the business done is electrical equipment, fixtures, or supplies, a tax of, per annum---------- 10.00

ELECTRICAL CONTRACTORS, PLUMBING, STEAM AND GAS FITTING.
See "Contractors".

ELECTRIC LIGHT COMPANIES.
On every electric light company, power company, gas company, or street rail way company, doing business or having an office within the City, an annual license tax of one percent on the gross receipts of tis said business shall be paid.

ELECTRIC SIGNS.
Every person, firm, or corporation, selling, making, or distributing electric signs, shall pay a license tax of, per annum---------- 25.00

ELEVATORS.
Every person, firm, or corporation, engaged in the business of selling or repairing or servicing or equipping or installing elevators, shall pay a license tax of, per annum---------- 150.00

EMBALMERS.
Exempt by State Statutes.

EMPLOYMENT AGENTS AND AGENCIES.
(a) Emigrant Agents: Every emigrant agent or person engaged in the business of procuring laborers for employment outside of Buncombe County, shall pay a license tax of, per annum----------
NOT PRORATED. 100.00
PROVIDED, that such tag shall not apply to any resident person for taking laborers to some place outside of Buncombe County for the purpose of using them for his own employment.
(b) Employment Agencies: Every person engaged in the business of operating any agency for employing cooks, house servants, office help, teachers, laborers, or persons for any employment whatsoever, and making a charge for the services rendered, shall pay a license tax of, per annum----------
NOT PRORATED. 100.00

ENGRAVING OR LITHOGRAPHING ESTABLISHMENTS OR SHOPS.
Each, per annum---------- 25.00

ENTERTAINMENTS, OPERAS, CHAUTAUQUAS, STAR COURSES, OR THEATRICAL TROUPES.
Such as usually appear in licensed halls, tents, or theatres, employed by or for charitable, religious, benevolent, or educational purposes, shall pay a license tax of, for each day or part of day's exhibition, or performance 25.00
PROVIDED, however, that if such chautauqua, opera, star course, theatrical troupe, or entertainment, shall obtain a State License Tax, as provided under Section 103, Sub-section G, of the 1933 Revenue Act, shall pay a license tax of, for each week or part thereof---------- 20.00

EXPLOSIVES.
Every person, firm, or corporation, selling and/or distributing dynamite, powder or other explosives, shall pay a license tax of, per annum $ 100.00

EXPRESS COMPANIES.
(a) Every person, firm, or corporation, domestic or foreign, engaged in the business of an express company, as defined in the 1933 Revenue Act, shall pay for the privilege of doing such business within the municipal limits, a license tax of, per annum---------- 75.00
(b) Every person, firm, or corporation, hauling or delivering express within the corporate limits of the City of Asheville, shall pay an annual license tax as follows:
On each motor vehicle of one ton capacity or less---------- 25.00
On each motor vehicle of more than one ton capacity and not more than two---------- 35.00
On each motor vehicle over two ton capacity---------- 40.00

EXHIBITIONS OR EXHIBITS NOT SPECIFICALLY TAXED HEREIN.
Per day---------- 7.50
Per week---------- 35.00

"F"

FACTORIES, BARREL, CRATE, BASKET.
See "Barrel Factories".

FACTORIES, BOX
See "Box Factories".

FARM PRODUCTS.
See "Fruits and Produce".

FEATHER RENOVATORS.
Each, per annum---------- 25.00

FERRIS WHEELS
See "Riding Devices".

FERTILIZER DEALERS.
Every person, firm, or corporation, or their agents, selling, delivering, or distributing fertilizer, shall pay a license tax of, each, per annum 25.00
Mixers or manufacturers of fertilizer, shall pay a license tax of, per annum---------- 150.00
NOT PRORATED.
PROVIDED, however, only the latter shall be collected from a manufacturer who is also a dealer.

FILLING STATIONS.
See "Automobile Service Stations".

FILMS, MANUFACTURERS, SELLING OR LEASING.
Exempt by State Statutes.

FINANCE COMPANIES, AUTOMOBILE.
See "Automobile Dealers", Sub-section (i)

FIRE INSURANCE COMPANIES.
Exempt by State Statutes.

FIREWORKS.
Every person, firm, or corporation, engaged in the business of selling or offering for sale, cap pistals, fire-crackers, fireworks, or other articles of like kind, shall pay a license tax of, per annum---------- 10.00
NOT PRORATED.

FISH, ORNAMENTAL
Every person, firm, or corporation, selling gold, silver, or other ornamental fish, alive, for use in an aquarium, bowls, or other ornamental purposes, shall pay a license tax of, per annum---------- 10.00
This tax shall not be collected when a pet shop license is obtained.

FISH, PEDDLERS OF
Prohibited.

FISH AND OYSTER DEALERS.
Each, per annum---------- 25.00
PROVIDED, that all dealers in fish and oysters shall secure a permit from the Health Officer.

FIVE AND TEN CENT STORES.
Every person, firm, or corporation, engaged in the operation of a business commonly known and designated as a "Five and Ten Cent Store", or where the majority of the articles of merchandise are offered for sale and are priced at less than one dollar, shall pay a license tax of, per annum---------- 300.00
PROVIDED, where this tax of $300.00 is paid, the "Chain Store" license tax, and all other license taxes levied by this ordinance on individual items, shall not be collectible; but otherwise, "Chain Store" tax and all of the other individual items shall be collectible.

FLAGS, ITINERANTS SELLING.
See "Balloons".

FLOOR FINISHERS.
Floor finishers using electrically operated machinery, shall pay a license tax of, per annum---------- $ 10.00

FLORISTS.
(a) On every person, firm, or corporation, operating or maintaining a flower store for the sale of flowers or ornamental plants, a license tax, shall be paid of, per annum---------- 50.00
PROVIDED, that if any person, firm, or corporation, shall do an annual business of less than $2,500.00 and more than $1,500.00 the license tax on such business shall be---------- 35.00
PROVIDED, where such annual business is less than $1,500.00, a license tax of, per annum---------- 25.00
(b) On every person, firm, or corporation, operating or maintaining a wagon or truck for the sale of flowers or ornamental plants on the streets of the City, and not paying the foregoing tax, on each truck or wagon, shall be paid a license tax of, per annum---------- 25.00
(c) On every person selling flowers, or ornamental plants or Christmas trees, shall be paid a license tax of, per annum---------- 7.50
The foregoing tax shall not be prorated.
PROVIDED, however, that in the case of the sale of uncultivated, wild flowers, obtained from the woods and fields of Western North Carolina, no tax shall be required.
Sale of flowers and ornamental plants on sidewalks and streets hereinafter enumerated expressly PROHIBITED: On Pack Square, Patton Avenue from Pack Square to Lexington Street; Haywood Street from Patton Avenue to South property line of Municipal Auditorium; Government Street; Wall Street; Battery Park Place; and College Street from Haywood to Lexington Avenue.

FLOUR OR GRIST MILLS.
On each and every person operating a flour or grist mill, a license tax shall be paid of, per annum---------- 50.00

FLYING-JENNY OR MERRY-GO-ROUND.
See "Riding Devices".

FORTUNE TELLERS.
See "Gypsies and Fortune Tellers".

FOUNDRIES AND MACHINE SHOPS.
Each, per annum---------- 50.00
Foundries or machine shops buying or selling old scrap brass, copper, or lead, are hereby required to keep the same records as are required of junk dealers.

FOUNTAINS, SODA.
Every person, firm, or corporation, engaged in the business of operating a soda fountain or soft drink stand, shall pay a license tax as follows:
On each carbonated draft arm of each soda fountain, per annum 5.00

FRANCHISES, SPECIAL
See "Automobile Service Stations on Sidewalks or Streets".

FRATERNAL INSURANCE ORDERS.
Exempt by State Statutes.

FRUIT PEDDLERS.
See "Fruits and Produce".

FRUIT STANDS
When the principal articles of sale are fruits and/or vegetables, at retail, a license tax shall be paid of, per annum---------- 10.00

FRUITS ANDPRODUCE--WHOLESALE.
(a) Every person, firm, or corporation, who maintains a permanent place of business for the purpose of selling at wholesale, fresh fruits, vegetables, and produce, in the City of Asheville, shall pay a license tax of, per annum---------- 50.00
This tax shall not apply to farmers selling or offering for sale fresh fruits, vegetables, or farm produce grown by seller.
The annual city license tax must be applied for and secured in advance before offering any of the above products for sale in the City of Asheville. This license cannot be prorated.

FUEL OIL.
Every person, firm, or corporation, engaged in the business of selling fuel oil at wholesale or retail, shall pay a license tax of, per annum 25.00

FUR CLOTHING DEALERS.
(a) Every person, firm, or corporation, selling either fur coats, chokers, fur scarfs, or other articles made in whole or in part out of fur, where 75 per cent of the gross sales or stock of merchandise carried consists of fur articles, shall pay a license tax of, per annum---------- 50.00
(b) Every person, firm, or corporation, engaged in the business of remodeling, repairing, or storing furs, employing two helpers or less, per annum---------- 15.00
Employing more than two helpers, per annum---------- 25.00

FURS-HIDES EXCEPTED.
Dealers in green or raw furs, each, per annum---------- 100.00

FURNACES , DEALERS IN.

Every person, firm, or corporation, selling, distributing, or repairing furnaces or boilers, shall pay a license tax of, per annum---------- $ 50.00

FURNITURE STORES.

Every person, firm, or corporation, selling furniture, new or second-hand, at retail, having a floor space of:

2,000 sq. ft. or less, to 4,000 sq. ft., per annum----------	15.00
4,000 sq. ft. ot 6,000 sq. ft. per annum----------	25.00
6,000 sq. ft. to 8,000 sq. ft., per annum----------	40.00
8,000 sq. ft. to 10,000 sq. ft., per annum----------	60.00
10,000 sq. ft. and over, per annum----------	80.00
At wholesale, per annum----------	150.00

PROVIDED, however, that where any person, firm, or corporation, operates a busi not dealing in furniture exclusively, a tax shall be paid on the floor space devoted the sale of furniture, but in no case shall the license tax be less than $15.00 per ann

Every person, firm, or corporation buying or exchanging used furniture, shall, before beginning business, secure a permit from the Health Officer.

"G"

GALLERIES, SHOOTING.

Each, per annum---------- 20.00

GAMES.

Games for sport or play, including boxing and wrestling matches, operated for profit, not herein specifically licensed, each exhibition or game 5.00

The foregoing shall not be collected from inter-scholastic or intercollegiate athletic contests or baseball games.

GAS COMPANIES

See "Electric Light Companies".

GASOLINE DISTRIBUTORS.

See "Oils and Gasoline".

GASOLINE OR OIL PIPE LINES-ANNUAL.

Laid in or across any public street, sidewalk, or alley, a tax of 10 cents per lineal foot of such pipe line.

PROVIDED, however, that no such pipe line shall be laid without first obtaining a license or permit by the City Manager, which license or permit may be granted or re in the discretion of the Council, in the interest of public safety or convenience.

GIFT AND SOUVENIR SHOPS.

Every person, firm, or corporation, engaged in the business of operating a gift or souvenir shop, shall pay a license tax of, per annum------ 10.00

GINGER ALE, BOTTLING OR WHOLESALE DEALERS.

See "Bottling Works".

GLASS.

Every person, firm, or corporation, selling or distributing glass, shall pay a license tax of:

At wholesale, per annum----------	100.00
At retail, per annum----------	50.00

GOLF, MINIATURE.

Per annum---------- 10.00

GOODS, WARES, AND MERCHANDISE--PEDDLING OF.

(a) Any person, firm, or corporation, who or which shall carry from place to place any goods, wares, or merchandise, and offer to sell or barter the same, or act sells or barters the same, shall be deemed a peddler, and shall apply for and procur from the collector of special license taxes a municipal license for the privilege of transacting such business and shall pay for such license the following annual tax:

Peddling on foot, per annum----------	5.00
Peddling with horse drawn vehicles, per annum----------	7.50
Peddling with passengar cars or small trucks made from passenger cars, per annum----------	7.50
Small two wheel trailers drawn by truck or automobile, per annum	7.50
Trucks of one-half ton capacity, per annum----------	10.00
Trucks of more than half ton and not over one ton capacity, per annum----------	15.00
Trucks of one and one-half ton capacity, per annum----------	20.00
Trucks, Trailers and semi-trailers of more than one and one-half ton capacity, per annum----------	25.00

PROVIDED: Where the annual license tax has not been paid, a license tax per lo d sh be collected as follows:

Upon trucks and cars of less than one-half ton capacity------	1.00
Upon trucks of one-half ton capacity----------	2.00
Upon trucks of one ton capacity----------	3.00
Upon trucks of one and one-half ton capacity----------	4.00
Upon trucks, trailers and semi-trailers of more than one and one-half ton capacity----------	5.00

Any person, firm, or corporation, employing the services of another as a peddl whether on a salary or on a commission basis, shall be liable for the payment of tax levied in this section.

(b) Any person, firm, or corporation, who or which sells or offers for sale, from a cart, wagon, truck, automobile, or other vehicle, operated over and upon the streets within the City, any fresh fruits, and/or vegetables, poultry and/or eggs, shall be deemed a peddler within the meaning of this section, and shall pay the annual license tax levied in Sub-section (a) of this section with reference to the character of vehicle employed.

(c) Any person, firm, or corporation, who or which sells or offers for sale, from any railway car, fresh fruits and/or vegetables, shall be deemed a peddler within the meaning of this section and shall pay an annual tax of--- --- $25.00

Nothing in this section shall apply to the sale of farm products raised on the premises owned or occupied by the person, firm, or corporation, his or its bona-fide agent, or employee, selling the same.

PROVIDED, however, before any person, firm, or corporation, who or which sells or offers for sale any fruits or farm produce upon any street, sidewalk, or alley, or from any railroad car, such person shall apply to the tax collector of the City of Asheville for a peddling permit, filing affidavit, sworn to and subscribed before a person authorized to administer oaths by the Laws of the State of North Carolina, reciting the fact that all farm products to be sold during the tax year have or will be grown on premises owned or occupied by the person, firm, or corporation, his or its bona-fide agent or employee, selling the same, with description and location of the premises on which such farm products or fruits has been grown or will be grown, mail address, and any other information that may be required from such person with reference to such raising or selling of farm products. And, if entitled to sell such farm produce without the payment of a license tax as herein provided, the tax collector shall issue a permit for such sales and, if issued, such permit shall not be issued until the tax prescribed herein shall have been paid in full. City employees are prohibited from verifying any affidavit.

(d) Every itinerant salesman or merchant who shall expose for sale, either on the street, or in a house rented temporarily for that purpose, any goods, wares, or merchandise, bankrupt stock or fire stock, not being a regular merchant in the City, shall apply for in advance and procure a municipal license from the collector of special license taxes for the privilege of transacting such business, and shall pay for such license a tax of, per annum---------- 100.00

(e) The provisions of this section shall not apply to any person, firm, or corporation who or which sells or offers for sale books, periodicals, printed music, ice, wood for fuel, fish, beef, mutton, pork, bread, cakes, pies, products of the dairy, or articles of their own manufacture, but shall apply to medicine, drugs, or articles exempted.

PROVIDED, the exemptions contained in this section shall not allow or permit the sale or barter of any article of merchandise of any kind which is now prohibited or regulated by any other ordinance of the City of Asheville.

(f) Exemptions: Whenever the Board of Commissioners of Buncombe County, upon application, exempts from theprovisionsof this section Confederate soldiers, disabled veterans of the Spanish-American War, disabled soldiers of the World War, who have been bona-fide residents of the State for twelve or more months continuously, and the blind who have been bonapfide residents of the State for twelve or more months continuously; widows with children, and such persons present to the collector of special license taxes of the City of Asheville a certified copy of such exemptions by said Board of County Commissioners, and such certificate shall entitle the holder thereof to peddle within the limits of said County without thepaymat of any license tax to the City, such person shall be entitled to peddle within the corporate limits of the City of Asheville by reason of such exemption; provided, however, that such exemption relieves only the person thereof of the payment of the license tax herein imposed on persons not exempted, but all other ordinances of the City of Asheville, with reference to the sale of goods, wares and merchandise, shall apply to the persons so exempted.

NOT PRORATED.

GRADING, PAVING, SIDEWALKS, SEWERS, OR OTHER WORK.

See "Contractors and Construction Companies".

GRAPHOPHONES, PHONOGRAPHS, OR TALKING MACHINES.

See "Organs, Pianos, and Phonographs".

GRAVEL.

See "Building Materials".

GUN AND LOCKSMITHS.

Each, per annum---------- 10.00

GYPSIES AND FORTUNE TELLERS.

For gypsies or strolling bands, and persons living in wagons, tents, or otherwise, trading in horses, mules, or other thing of value, and pretending to tell fortunes ----------

Persons other than gypsies, receiving reward for pretending to tell fortunes---------- 200.00

"H"

HAIRDRESSERS.

See "Barber Shops, etc."

HARDWARE DEALERS.

Every person, firm, or corporation, engaged in the business of selling hardware, shall pay a license tax, per annum as follows:

Where 75% of the business is derived from the sale of hardware	$5.00
Where less than 75% of thebusiness is derived from the sale of Hardware----------	5.00

HARNESS OR SHOE REPAIRERS OR MANUFACTURERS.

Each itinerant	$100.00
Each resident employing no workman	5.00
Each resident employing one workman	7.00
Each resident employing two workmen	9.00
Each resident employing three workmen	15.00
Each resident employing four workmen	24.00
Each resident employing five or more workmen	35.00

HAT CLEANERS OR DYERS.
See "Pressing Clubs".

HATS.
See "Millinery".

HEALING-PROFESSIONAL ART.
Exempt by State Statutes.

HIDE DEALERS.
Each, per annum---------- 150.00

HORSES, MULES, AND PONIES--DEALERS IN.
Every person, firm, or corporation, engaged in the business of buying and selling horses and/or mules and/or ponies, shall pay a license tax of, per annum, as follows:
(a) Any person who, for the last three years continuously, has listed poll or property tax, shall pay:

For the first carload	10.00
For each additional carload	5.00

(b) Any person who, for the last three years continuously, has not listed poll or property tax, shall pay:

For the first carload	50.00
For each additional carload	10.00

HOSPITAL SUPPLIES-DEALERS IN.
Every person, firm, or corporation, engaged in the business of selling or distributing hospital supplies, shall pay a license tax of, per annum 40.00
PROVIDED, however, the tax shall not be collected from persons, firms or corporations operating a drug store.

HOTELS AND BOARDING HOUSES.
Every person, firm, or corporation, engaged in the operation of any hotel or boarding house, shall pay the following tax per annum:
(a) American Plan: For hotels or boarding houses operating on the American Plan for rooms in which rates per day are:

$1.00 and less than $2.00	.15
$2.00 and less than $3.00	.45
$3.00 and less than $4.50	.90
$4.50 and less than $6.00	2.20
$6.00 and less than $7.50	2.70
$7.50 and less than $15.00	3.00
Over $15.00	3.60

(b) European Plan: For hotels or boarding houses operating on the European Plan for rooms in which rates per day are:

$1.00 and less than $2.00	.25
$2.00 and less than $3.00	1.00
$3.00 and less than $4.50	2.00
$4.50 and less than $6.00	2.75
$6.00 and less than $7.50	3.25
$7.50 and less than $10.00	3.75
Over $10.00	4.25

PROVIDED, however, the office, dining-room, parlor, kitchen, and two other rooms shall not be counted when calculating thenumber of rooms in the hotel or boarding house.
The tax provided for in this section shall apply whether the charges are made at daily, weekly, or monthly rates, but shall not apply to boarding houses charging less than $12.00 per week.
(c) For resort hotels and boarding houses operating for only six monthsor less than a year, the minimum tax shall be, per year---------- 2.50

HOTEL AND RESTAURANT EQUIPMENT-DEALERS IN.
Every person, firm, or corporation, engaged in the business of selling or distributing equipment for hotels or restaurants, whether for the culinary or other departments, shall pay a license tax of, per annum---------- 50.00

HOUSE MOVING.
See Section 4 (7)---------- 25.00

HYPNOTISTS.
Prohibited.

"I"

ICE CREAM-ITINERANTS SELLING.
See "Balloons".

ICE CREAM-RETAIL MANUFACTURERS OR WHOLESALE DEALERS.
(a) Each retail dealer, per annum---------- 2.50
PROVIDED, that a retail tax shall not be collected from restaurants or drug stores who have paid the prescribed tax.
(b) Every person, firm, or corporation, engaged in the business of manufacturing or distributing ice cream at wholesale, shall apply for and obtain from the Director of Finance, for each place of business where manufactured and/or stored for distribution, license tax of, per annum---------- 12.50
(c) Ice Cream peddlers, shall pay each a license tax of, per annum---------- 25.00

License issued subject to approval and supervision of the Health Department and before party making application can be granted a license, it will be necessary to carry a written statement from the Health Officer that the proposed method of handling ice cream is approved by him.
For the purpose of this section, the words, "ice cream", shall apply to ice cream, frozen custards, sherbets, water ices, and/or similar frozen products.

ICE DELIVERY SERVICE.
Per vehicle---------- $10.00
PROVIDED, however, that this shall not apply to persons, firms, or corporations, who pay the license tax under "Ice Manufacturers or Dealers".

ICE DEPOTS.
On each retail depot with Electric Refrigeration, a license tax shall be paid of, per annum---------- 50.00
On each retail depot without electric refrigeration, a license tax shall be paid of, per annum---------- 15.00

ICE MANUFACTURERS OR DEALERS.
Any person, firm, or corporation, manufacturing ice, shall pay a license tax of, per annum---------- 300.00
NOT PRORATED.

IMPLEMENTS.
See "Agricultural Implements and Machinery".

INSURANCE AGENTS.
Exempt by State Statutes.

INSURANCE FIRE COMPANIES.
Exempt by State Statutes.

INSURANCE FIRE ADJUSTERS.
Exempt by State Statutes.

INSURANCE--FRATERNAL ORDERS.
Exempt by State Statutes.

INSURANCE-TITLE
See "Title Insurance".

INTERIOR DECORATING AND WALL-PAPER HANGING.
Every person, firm, or corporation, engaged in the business of paper-hanging, or engaged in the business of interior decorating, shall pay a license tax as follows:

Wall-paper hanging, per annum	10.00
Interior decorating, per annum	15.00

Interior decorating does not include painting or wall-paper hanging.

"J"

JEWELRY.
Every person, firm, or corporation, operating a jewelry store or shop, or selling plated and silverware, shall pay a license tax of, per annum 45.00
Every person, firm, or corporation, having a jewelry department, or selling plated or silverware, but not engaged exclusively in the sale of jewelry, or plated or silverware, shall pay a license tax of, per annum---------- 15.00

JEWELRY STANDS.
Every person, firm, or corporation, making key rings, tags, etc., in any place other than a building occupied for such purposes, shall pay a license tax of, per annum---------- 10.00
NOT PRORATED.
PROVIDED, that no person shall be allowed to make jewelry, key rings, tags, and trinkets upon public property or on the streets, sidewalks, or alleyways of the City.

JEWELRY REPAIR SHOPS-OR WATCHMAKERS.
Every person, firm, or corporation, operating a jewelry or watch repair shop, shall pay a license tax, of, per annum---------- 5.00
PROVIDED, that where a jewelry shop or store pays a jewelry tax, no tax shall be collected hereunder.

JUNK DEALERS.
Every person, firm, or corporation, buying or selling junk, shall pay a license tax of, on each place of business, per annum---------- 250.00
Each wagon or truck collecting junk, per annum---------- 50.00
Any person, firm, or corporation, desiring a license hereunder, must first make application in person to the City Manager, and will be required to furnish a justified bond in the sum of $1,000, conditioned according to the City Ordinance applicable thereto.

"K"

KENNELS, DOGS.
Per annum---------- 50.00
The keeping of ten or more dogs, including pups over six months old, on the same premises, shall constitute the keeping of a dog kennel.

KNIFE OR CANE RACKS.
See "Cane Racks".

KNIVES.
See "Bowie Knives".

KNUCKLES, BRASS.
See "Bowie Knives".

"L"

LABOR AGENTS, EMIGRATION.
(a) Every person, firm, or corporation, either as agent or principal, engaged in soliciting, hiring, and/or contracting with laborers, male or female, in this State, for employment out of the State, shall pay a license tax of, per annum $100.00
(b) Every person, firm, or corporation, who or which engages in the business of securing employment for a person or persons and charging therefor a fee, commission, or other compensation, shall pay a license tax of, per annum----- 100.00
PROVIDED, however, that this section shall not apply to any employment agency operated by the Federal Government, the State, or any County or Municipality whose sole business is procuring employees for work in the harvesting of farm crops within the State of North Carolina.

LANDSCAPE GARNENER OR CONTRACTOR.
Annual gross business not over $5,000.00---------- 20.00
$5,000.00 to $35,000.00---------- 35.00
Over $25,000.00---------- 50.00

LAUNDRIES.
Every person, firm, or corporation, engaged in the business of operating a laundry including wet and/or damp wash laundries, where steam, electricity, or other power is used, shall pay a license tax of, per annum---------- 25.00
PROVIDED, that any laundry or other concern doing a gross volume of business of less than $100.00 per month, shall pay a license tax of, per annum 25.00
PROVIDED, further, that any laundry not employing in excess of three persons, shall pay a license tax of, per annum---------- 25.00
PROVIDED, also, that this section shall not apply to washerwomen.

LAUNDRY AGENCIES.
Every person, firm, or corporation, engaged in the business of operating a laundry outside of Asheville, and soliciting laundry business in the City of Asheville, through agents, shall pay a license tax of, per annum---------- 50.00

LAWYERS.
Exempt by State Statutes.

LEASING OR RENTING FILMS
Exempt by State Statutes.

LECTURES, PROFESSIONAL
Each lecture where admission is charged, except where solely for charitable, religious, or educational purposes---------- 50.00

LEMONADE--ITINERANT.
See "Balloons".

LEMONADE STANDS.
On public occasions, same as "Soft Drink Stands".

LIFTING MACHINES, BLOWING MACHINES.
Each, per day---------- 50.00

LIGHTNING ROD AGENTS.
Each lightning rod dealer having a general office, or selling from a receiving point, shall pay a license tax of, per annum---------- 10.00

LINEN SERVICE.
Every person, firm, or corporation, renting or placing towels or other linen for a rental or on a fee basis, shall pay a license tax of, per annum 50.00

LIVERY STABLES.
On every person, firm, or corporation, who keeps horses or mules to hire or let, with or without vehicles, or run a hitch and feed stable, a license tax shall be paid of, per annum---------- 10.00

LOAN AGENCIES & BROKERS.
Every person, firm, or corporation, engaged in the regular business of making loans or lending money, and accepting liens on, or contracts of assignment of, salaries or wages or any part thereof, or other security or evidence of debt for repayment of such loans in installment payments or otherwise, and maintaining in connection with same an office or other located or established place for the conduct, negotiation, or transaction of such business, and/or advertising or soliciting such business in any manner whatsoever shall be deemed a loan agency, and shall pay a license tax of, per annum---------- 100.00
PROVIDED, that this shall not be construed to apply to banks, industrial banks, trust companies, building and loan associations, nor installment paper dealers as defined in Section 148 of the Revenue Act of 1933. It shall apply to those persons or concerns operating, or commonly known, as loan companies or finance companies, and whose business is as hereinbefore described, and those persons, firms, or corporations pursuing the business of lending money and taking as security for the payment of such loan and interest an assignment of wages, or an assignment of wages with power of attorney to collect same or other order or chattel mortgage or bill of sale upon household or kitchen furniture.

LOAN COMPANIES.
See "Mortgage Loan Companies".

LUBRICANTS, OIL, ETC.- DEALERS IN.
See "Oils and Gasoline".

LUGGAGE.
(a) Each and every person, firm, or corporation [illegible] per cent of the gross sale of stock of merchandise carried is luggage, shall pay a license tax of, per annum---------- $ 25.00
(b) Each and every person, firm, or corporation, selling luggage, but whose [illegible] than 75 per cent of the sales or stock of merchandise consists of luggage, shall pay a license tax of, per annum---------- 5.00

LUMBER-BROKERS, or WHOLESALE DEALERS.
Every person, firm, or corporation, with an office within the City of Asheville, buying and/or selling lumber at wholesale and/or handling same on a brokerage or commission basis, shall pay a license tax of, per annum---------- 25.00

LUMBER DEALERS.
See "Building Materials".

LUNCHES-DRUG STORES.
See "Restaurants".

LUNCH ROOMS AND RESTAURANTS.
See "Restaurants".

LUNCHES-ITINERANTS SELLING.
See "Balloons".

LYCEUM BUREAUS AND CHAUTAUQUA BUREAUS.
Each, per annum---------- 25.00

"M"

MACHINE SHOPS.
Each, per annum---------- 25.00

MACHINE, SLOT--OR SLOT LOCKS.
(a) Every person, firm, or corporation, engaged in operating within the City of Asheville, any slot machine wherein is kept any article to be purchased by depositing any coin or thing of value, or for which may be had any article of merchandise, or any machine wherein may be seen any picture or heard any music by depositing therein any coin or thing of value, or any slot weighing machine, or any machine for making stencils by the use of contrivances operated by depositing in the machine any coin or thing of value, or where any game is played or any lock operated by slot wherein money or thing of value is to be deposited, shall pay for each machine or lock, the following license tax, per annum:
Any such machine that requires a deposit of not more than one cent---------- $ .50
Any such machine that requires a deposit of more than one cent and not more than five cents---------- 5.00
Any such machine that requires a deposit of more than five cents and not more than ten cents---------- 10.00
Any such machine that requires a deposit of more than ten cents and not more than twenty cents---------- 20.00
Any such machine that requires a deposit of more than twenty cents---------- 30.00
Weighing machines requiring a deposit of one cent------ 1.50
NOT PRORATED.
PROVIDED, the foregoing shall not apply to those items enumerated in Section 148 of the Revenue Act of 1933.
PROVIDED, further, that this section shall not apply to machines owned and operated by any retail merchant in his own place of business for delivering merchandise of the mark[illegible] value of the coin deposited; nor shall it apply to slot machines from which drinking cups are delivered at not more than one cent per cup.
PROVIDED, further, that no slot machine or slot lock shall be operated until the license tax is paid thereon and the Tax Collector is hereby authorized to presume that the operation of such machine or apparatus is lawful and when the municipal license may be issued for the operation thereof, the sum paid for such municipal license shall not be refunded, notwithstanding that the operation of such machine or apparatus shall afterwards be prohibited.
The operator or owner of each and every slot machine or slot lock shall keep posted in a conspicuous place on the front of such machine, or in a conspicuous place near such machine or slot lock, the tax receipt issued for such machine or slot lock.

MACHINERY.
See "Agricultural Implements and Machinery".

MAKERS OF BONDS.
See "Bond Makers".

MANICURISTS.
Resident, per annum---------- 5.00
Itinerant, per annum---------- 50.00

MANUFACTURERS--MISCELLANEOUS.
Every person, firm, or corporation, engaged in the business of manufacturing any product not taxed under this Schedule, shall pay a license tax of, per annum---------- 25.00

MASSAGE ESTABLISHMENTS.
Each, per annum---------- 50.00
Itinerant, per day---------- 5.00

MATCHES, WRESTLING.
See "Wrestling and Boxing".

MATTRESS FACTORIES OR RENOVATORS.
Each, per annum---------- $25.00

MEATS.
(a) Every person, firm, or corporation, engaged in the operation of a meat market shall pay the tax in accordance with the classification hereinafter set forth:
CLASS A.
Meat markets selling 500 pounds or less of fresh meats per week, each, per annum---------- 25.00
CLASS B.
Meat markets selling 500 pounds of fresh meats per week, each, per annum---------- 50.00
PROVIDED, that such license tax shall be paid for each meat market operated within the corporate limits of the City of Asheville.
(b) Every person, firm, or corporation, engaged in the wholesale distribution or sale of fresh or cured meats---------- 50.00
(c) Every person, firm, or corporation, storing, jobbing, or selling meats of any kind from warehouses within the city limits---------- 150.00
PROVIDED, that the provisions of this section shall not apply to any persons, firms or corporations, who have paid the tax levied on packing houses.
NOTE: Meat not having been salted longer than twenty days shall be considered fresh meat, and the license shall be collected as itemized on retail and wholesale dealers of fresh meats. PROVIDED, that from and after the passage of this ordinance it shall be unlawful for any person, firm, or corporation, to operate a meat market without first obtaining a meat market permit from the Health Officer which must be in force during period of operation and a copy of the same must be conspicuously posted at all times in the said market so as to be plainly visible to all customers who may patronize such market.
PROVIDED, further, that the Director of Finance may require at any time an affidavit from the operator of any week, during the tax year, and if during any week of the year a meat market in Class A sells more than 500 pounds of meat, then said Class A meat market shall be rated as Class B, and shall be liable for tax in accordance with Class B schedule.

MEAT DISTRIBUTORS.
Every person, firm, or corporation, distributing and delivering meat at wholesale or retail, and not having a place of business in the City of Asheville, shall pay a license tax of, per annum---------- 50.00
PROVIDED, the provisions of this section shall not apply to persons, firms, or corporations, paying packing house license.

MEDICINE SELLERS OR VENDORS.
See "Goods, Wares, and Merchandise".
Free shows in connection with the sellingof medicines or other merchandise in other than licensed theatres or moving picture shows, prohibited within the corporate limits of the City of Asheville.

MENAGERIES.
See "Circus".

MERCHANTS-ITINERANT.
Itinerant or salesman selling as proprietor or agent in any lot or in a storeroom goods, wares, or merchandise, on which an itinerant or other tax is not herein specifically imposed, shall pay a license tax of, per annum---------- 100.00
NOT PRORATED.
PROVIDED, that all such sales on any street, square, alley, or other municipal property is expressly prohibited.
Itinerant merchants, dealers, or proprietors, or agents selling bankrupt or fire sales, or any kind of goods, wares, or merchandise, shall pay a license tax of, per week---------- 100.00
PROVIDED, however, that no tax shall be collected from trustees or officers of a Bankruptcy Court making sales under Order of Court.

MERCHANTS-PEDDLING.
See "Goods, Wares, and Merchandise".

MERCHANTS-TAILORS.
Employing two helpers or less, per annum---------- 10.00
Employing over two helpers, per annum---------- 25.00

MERCHANTS AND STOCK BROKERS.
See "Brokers".

MERRY-GO-ROUND OR FLYING JENNY.
See "Riding Devices".

METAL WORKING ESTABLISHMENTS OR TIN SHOPS.
See "Contractors and Construction Companies".

METALLIC CARTRIDGES.
See "Pistols".

METALLIC, BRASS, OR IRON KNUCKLES.
See "Bowie Knives".

MILK PASTEURIZERS AND CREAMERIES.
See "Creameries and Dairies".

MILL SUPPLIES.
Every person, firm, or corporation, selling or distributing mill or factory supplies, shall pay a license tax of, per annum---------- $100.00

MILLINERY MERCHANTS.
Every person, firm, or corporation, selling millinery exclusively, shall pay a license tax of, per annum---------- 5.00
PROVIDED, that any person, firm, or corporation, selling millinery, but not engaged exclusively in the millinery business, shall pay a license tax of, per annum---------- 10.00

MINSTREL SHOWS.
See "Pictures".

MONUMENTS OR TOMBSTONES-DEALERS IN.
Every person, firm, or corporation, engaged in the business of erecting, manufacturing, jobbing, selling, or offering for sale monuments, marble tablets, grave stones, or articles of like kind, shall pay a license tax of, per annum 10.00

MOP OR BROOM FACTORIES.
Every person, firm, or corporation, manufacturing or assembling mops or brooms, shall pay a license tax of, per annum---------- 15.00

MORTGAGE LOAN COMPANIES.
Every person, firm, or corporation, doing a mortgage or loan business in the City of Asheville, and not paying a license tax under any other schedule herein, shall pay an annual license tax according to the following schedule:
(a) For each $5,000.00 loaned, or less---------- 5.00
(b) For all loans in excess of $5,000.00, every person, firm, or corporation, shall be required to pay at the rate of $5.00 for each and every $5,000.00 of additional loans or fraction thereof.
For the purpose of ascertaining the amount of tax levied and to be collected under, every person, firm, or corporation, engaged in the business aforesaid, shall report to the Tax Collector of the City of Asheville a quarterly report showing in detail the amount and/or volume of business done and/or loans made during each and every three months period.

MOTORCYCLE DEALERS.
See "Automobile, Motorcycles, Motor Vehicles-Dealers In".

MOVING, DEMOLISHING, OR WRECKING HOUSES OR OTHER STRUCTURES.
Every person, firm, or corporation, engaged in the business of moving, demolishing, or wrecking houses or other structures, shall pay a license tax of, per annum---------- $5.00

MOVING PICTURES OR VAUDEVILLE SHOWS.
On each room, hall, tent or air-dome used as a moving picture or vaudeville show, an annual license tax as follows shall be paid:
On each place having a seating capacity of less than 500 $25.00
On each place having a seating capacity of 500 and less than 1,000---------- 75.00
On each place having a seating capacity over 1,000 175.00
PROVIDED, any moving picture show operating more than two (2) miles from the business center of the city of Asheville (for the purpose of this provision the term "business center" being defined as the intersection of the two principal business streets of the City of Asheville), the territory in which such moving picture show is located having been annexed to such city subsequent to January 1, 1933, the license tax shall be, per annum---------- 75.00

MULTIGRAPHS, MIMEOGRAPHS--DEALERS IN.
Exempt by State Statutes.

MULTIGRAPH SHOPS.
Every person, firm, or corporation, multigraphing or mimeographing letters, advertisements or other documents for compensation, shall pay a license tax of, per annum as follows:
1 operator---------- 10.00
2 operators---------- 15.00
More than 2 operators---------- 25.00

"N"

NEWS DEALERS ON TRAINS.
Exempt by State Statutes.

NEWSPAPERS.
Daily, morning---------- 100.00
Daily, afternoon---------- 100.00
Weekly---------- 25.00
Monthly---------- 15.00
PROVIDED, that where any newspaper company prints, in addition to its newspapers, circulars or other printed matter, the tax levied under "Printing Establishments", shall also be paid.

NEWSPAPERS CONTESTS.
Exempt by State Statute.

NEWS STANDS.
Per annum---------- 2.50

NEWS STANDS ON STREETS OR SIDEWALKS.
Prohibited.

NEWSPAPER OR MAGAZINE DISTRIBUTORS.
Per annum---------- 25.00

NURSERIES.
Every person, firm, or corporation, operating a nursery, or selling or displaying for the purpose of advertisement or sale nursery products, shall pay a license tax of, per annum---------- $ 25.00

"O"

OCULISTS.
Exempt by State Statutes.

OFFICE EQUIPMENT.
Every person, firm, or corporation, engaged in the business of sellingoffice equipment or supplies, shall pay a license tax of, per annum 25.00

OIL, FUEL.
See "Fuel Oil".

OILS AND GASOLINE.
(a) Every person, firm, or corporation, engaged in the business of selling illuminating or lubricating oils or greases, or benzine, naptha, gasoline, or other products of like kind from an agency, station, or warehouse, for the distribution or sale of the aforementioned commodities as defined in Section 137 of the Revenue Act of 1933, shall pay a license tax of, per annum---------- 50.00
PROVIDED, that this shall apply only to agencies or warehouses in the City of Asheville engaged in the distribution or sale of the commodities enumerated.
(b) Every person, firm, or corporation, engaged in the business of selling illuminating or lubricating oils or greases, or benzine, naptha, gasoline, or other products of like kind, who do not maintain an agency, station, or warehouse, within the City of Asheville, shall pay a license tax of, per annum----- 50.00
(c) Every person, firm, or corporation, engaged in the business of re-conditioning or refining oils, shall pay a license tax of, per annum------ 20.00

OPERAS.
See "Chautauquas".

OPTICAL SUPPLIES.
Every person, firm, or corporation, selling optical goods or supplies at wholesale, shall pay a license tax of, per annum---------- 150.00
At retail, per annum---------- 50.00
PROVIDED, however, that the foregoing tax shall not be collected from duly licensed practicing physicians, optometrists, or oculists.

OPTICIANS.
Exempt by State Statutes.

OPTOMETRISTS.
Exempt by State Statutes.

ORDERS-FRATERNAL.
Exempt by State Statutes.

ORGANS, PIANOS AND PHONOGRAPHS.
Every person, firm, or corporation, engaged in the business of selling,offering or ordering for sale, any of the articles hereinafter enumerated, shall pay for the privilege of conducting such business, a special license tax, per annum, as follows:
For pianos and/or graphophones, radios or radio accessories, victrolas, or other instruments using disc or cylinder records, and/or the sale of records for either or all of these instruments---------- 5.00
For each traveling representative or agent for the sale of pianos, and/or graphophones, radios, or radio accessories, victrolas, or other instruments using disc or cylinder records, and/or the sale of records for either or all of these instruments---------- 5.00

ORGAN AND PIANO TUNERS OR REPAIRERS.
Organ or piano tuners or repairers, per annum-------- 5.00
Itinerant, per annum---------- 50.00

ORIENTAL GOODS OR ANTIQUE FURNITURE.
See "Antique Furniture".

ORTHOPAEDIST.
Exempt by State Statutes

OYSTER AND FISH DEALERS.
See "Fish and Oyster Dealers".

"P"

PACKING HOUSES.
Every person, firm, or corporation, engaged in or operating a meat packing house and every wholesale dealer in meat packing house products, who owns, eases, or rents and operates a cold storage warehouse in connection with such wholesale business, shall pay for each such packing house or cold storage warehouse, a license tax of, per annum---------- 150.00

PAINTING CONTRACTORS.
See "Contractors".

PAINT DEALERS.
Every person, firm, or corporation selling or distributing paint, calcimine, or other paint products, shall pay a license tax of, per annum 25.00

PAPER OR PAPER PRODUCTS.
Every person, firm, or corporation, engaged in the sale or distribution of paper or paper products, where twenty per cent or more of their business is the sale or distribution of paper, shall pay a license tax of, per annum $50.00

PARKING PLACES.
On each and every lot used for a public parking place for profit, except those service is not rendered, shall be paid a license tax of, per annum----------
Where greasing, washing or other service is rendered---------- 5.00

PASTEURIZERS OF MILK.
Each establishment shall pay a license tax of, per annum
The foregoing tax is not collectible where or where any tax is paid.

PATENT RIGHTS AND FORMULA-DEALING IN.
On every person, firm, or corporation, offering for sale any patent right, shall be paid a license tax of, per annum----------

PAVING, GRADING, SIDEWALK, [illegible], OR [illegible].
See "Contractors".

PAWN BROKERS.
See "Brokers, Pawn".

PEANUT AND POPCORN ROASTERS.
Every person, engaged in the business of operating any peanut or popcorn roaster or stand, shall pay a license tax of, per annum---------- 10.00
PROVIDED, that when a peanut or popcorn roaster or stand is operated in connection with some other business, the license tax shall only be, per annum---------- 5.00

PEDDLERS OF BOOKS.
See "Book Agents".

PEDDLERS-GENERAL
See "Goods, Wares, and Merchandise".

PEDDLERS OR VENDORS OF MEDICINE.
See "Goods, Wares and Merchandise".

PEDDLING.
See "Goods, Wares, and Merchandise", also "Fruits and Produce".

PEDDLING OF FISH.
Prohibited.

PENNY ARCADES OR PARLORS.
See "Arcades".

PEPSI-COLA BOTTLING WORKS.
See "Bottling Works".

PERFUMES AND TOILET ARTICLES, COMPACTS, LIPSTICKS, ETC.
Every person, firm, or corporation, selling perfume, cologne, toilet water, bath salts, compacts, lip sticks, or other toilet articles, shall pay a license tax, of, per annum---------- 5.00

PET SHOPS.
Every person, firm, or corporation, operating a shop usually known as a "pet shop", or place of business where pets such as dogs, monkeys, cats, birds, fish, white mice, and/or other pets by whatsoever name called, are sold, shall pay a license tax of, per annum---------- 25.00

PHONOGRAPHS.
See "Organs".

PHOTOSTAT DEALERS.
Every person, firm, or corporation, making photostatic reproductions, or engaged in the business of making photostatic copies for sale, shall pay a license tax, per annum, of---------- 25.00

PHRENOLOGISTS.
Per annum---------- 50.00
PROVIDED, that each phrenologist has paid the State tax under Section 116 of the 1933 Revenue Act.

PHYSICIANS.
Exempt by State Statutes.

PIANO OR ORGAN REPAIRERS OR TUNERS.
See "Organ Repairers or Tuners".

PICTURE MACHINES--ADVERTISING BY USE OF.
See "Advertising by Use of Picture Machines".

PICTURES, MOVING
See "Moving Pictures".

PICTURES, TRAVELING, MOVING, TRAVELING THEATRICAL, VAUDEVILLE, OR TRAVELING MINSTREL
Every person, firm, or corporation, engaged in the business of a traveling theatrical, traveling moving picture, and/or traveling vaudeville company, giving exhibitions or performances in any hall, tent, or other place not duly licensed a s a theatre, moving picture or vaudeville house, for the privilege of engaging in such business, shall pay a license tax of $25.00 for each day or part of a days exhibits or performances.
PROVIDED, that:
(a) Artists, exhibiting paintings or statuary work of their own hands, shall only pay $2.00.
(b) Such places of amusements as do not charge more than a total of fifty cents for admission at the door, including reserved seat, and shall perform or exhibit continuously in any given place as much as one week, shall be required to pay $25.00 for the first day, and a total of $25.00 for the next succeeding five days or any part thereof, and $30.00 per week or any part thereof thereafterwards.
PROVIDED, however, where such amusement company holds an annual state-wide license, as provided under Section 103 of the 1933 Revenue Act, such company shall pay $20.00 per week or part of week.
Application for permit to exhibit must be made in the same manner as herein required of a circus, and no performances shall be given unless permit is granted.

PIPE OR CEMENT BLOCKS.
See "Cement Blocks".

PISTOLS
Every person, firm, or corporation, who is engaged in the business of keeping in stock, selling, and/or offering for sale any of the articles or commodities hereinafter enumerated, shall pay the following tax, per annum:
(a) For pistols---------- 50.00
(b) For bowie knives, dirks, daggers, sling-shots, loaded canes, iron or metallic knuckles, or articles of a like kind---------- 200.00
(c) Black cartridge pistols---------- 200.00
PROVIDED, however, that if such person, firm, or corporation deals only in metal cartridges, the tax shall be, per annum---------- 10.00

PLACARDS IN STREET CARS.
See "Advertising--Placards".

PLUMBING CONTRACTORS.
See "Electrical Contractors".

PLUMBING SUPPLIES.
See "Electrical Contractors".

PLUMBING SUPPLIES.
Every person, firm, or corporation, selling plumbing supplies, shall pay a license tax of, per annum (wholesale)---------- 100.00
PROVIDED, every person, firm, or corporation, selling plumbing supplies at retail, shall pay a license tax of, per annum---------- 50.00
PROVIDED, however, where the above license is paid, then the contractor's license shall not be required.

POLES, CROSS-TIES, OR SIMILAR ARTICLES.
See "Buying and Shipping of".

PONY AND DOG SHOWS.
See "Circuses".

POOL ROOMS.
See "Billiards".

POULTRY AND/OR EGGS.
Every person, firm or corporation, buying or selling poultry and/or eggs, at wholesale, shall pay a license tax of, per annum---------- 30.00

POWER, GAS, AND ELECTRIC LIGHT COMPANIES.
See "Electric Light Companies".

PRESSING CLUBS, DRY CLEANING PLANTS, AND HAT BLOCKERS.
Every person, firm, or corporation, engaged in the business of pressing and/or dry cleaning any article of clothing, re-shaping, cleaning, and/or re-blocking any hat shall pay a license tax of, per annum, as follows:
(a) Where not more than three persons are employed----- 10.00
(b) Where more than three persons and not more than six persons are employed---------- 25.00
(c) Where more than six persons are employed---------- 40.00

PRINTED ADVERTISEMENTS, SIGN TACKING, ETC.
See "Advertising- Distributors of Samples".

PRINTING AGENTS.
See "Agents, Not Specifically Taxed".

PRINTING ESTABLISHMENTS.
Every person, firm, or corporation, operating a printing press, whether part time or not, or whether employing a helper or not, shall pay a license tax of per nnum----------
Without bindery, employing one workmen, per annum---------- 10.00
Without bindery, employing two workmen, per annum---------- 10.00
Without bindery, employing more than two workmen, per annum 15.00
With bindery, per annum---------- 25.00
30.00

PRODUCE AND FRUITS.
See "Fruits and Produce".

PROFESSIONAL ART-HEALING
Exempt by State Statutes.

PROFESSIONAL LECTURES
See "Lectures".

PUBLIC ANNOUNCEMENTS OF [illegible], ETC.
See "Advertising".

PUBLIC SERVICE AUTOMOBILES.
See "Motor Vehicles for Hire".

PUBLIC STENOGRAPHERS.
Every person, firm, or corporation, engaged in public stenography work, shall pay a licenst tax, [illegible]

"Q"

QUARRY, ROCK.
(a) On each rock quarry, a license tax shall be paid of-- 75.00
(b) Every person, firm, or corporation, hauling or delivering rock quarry products in the City of Asheville, not having paid the tax under sub section (a), and not having a quarry within the City of Asheville, shall pay the following tax:
On each truck of two-ton capacity or less, per annum---- 5.00
On each truck of more than two-ton capacity, per annum- 7[illegible]

QUEENSWARE AND CHINA.
See "China and Queensware".

"R"

RACKS FOR KNIVES OR GAMES.
See "Cane Racks".

RADIO INSTRUMENTS OR RADIO INSTRUMENTS accessories.
See "Organs". etc.

REAL ESTATE AUCTIONEERS.
See "Auctioneers".

RELIGIOUS ENTERTAINMENTS.
See "Charitable Entertainments".

REPAIR SHOPS.
Any repair shops operating in the City of Asheville, [illegible] elsewhere specifically licensed or taxed in this ordinance, shall pay [illegible] tax as follows:
Working one workman---- 5.00
Working one or three workmen---- 10.00
Working three workmen or more---- 15.00

REPAIR SHOPS-CABINET.
See "Cabinet Reapir Shops".

REPAIR SHOPS- CARRIAGE.
See "Carriage Repair Shops".

REPAIRING OR MANUFACTURING OF HARNESS OR SHOES.
See "Harness or Shoe Repairers".

REPAIRERS OR TUNERS OF ORGANS OR PIANOS.
See "Organ Tuners".

RESTAURANTS, LUNCH ROOMS, HOTEL DINING ROOMS, OR DRUG STORES.
(a) Every person, firm or corporation, engaged in the business of operating a restaurant, cafe, cafeteria, hotel with dining service on the European plan, lunch room, or other place where prepared food is sold, shall pay an annual license tax based on the number of persons provided for with chairs, stools, or benches, and shall be [illegible] person, with a minimum tax of---- 2.50
(b) All other stands or places where prepared food is sold as a business, [illegible] stores, service stations, and other stands or places where prepared sandwiches only served, shall pay an annual license tax---- 3.75

RIDING DEVICES.
Every person, firm, or corporation, engaged in the operation of a bagatelle table, merry-go-round, flying jenny, ferris wheel, ship, tango swing, caterpillar, tumbling hobby-horse, switchback railway, shooting gallery, skating rink, or other amusement devices of a like kind, or a place for other games or play with or without name (unless used solely and exclusively for private amusement and exercise), at a permanent licensed place, shall procure a special license for the privilege of operating such objects of amusement, and shall pay for each object erumerated the following tax,
per annum---- 25.00

ROOMS OR HALLS USED AS THEATRES.
See "Halls".

ROOTS AND HERBS.
Every person, firm, or corporation, buying or selling roots, herbs, or other medicinal plants, shall pay a license tax of, per annum-------- $200.00

RUBBER STAMPS.
Every person, firm, or corporation, engaged in the exclusive business of manufacturing rubber stamps, stencils, and seals, where 75 percent of the business is derived from the manufacture of such articles, shall pay a license tax of, per annum---------- 25.00

"S"

SAMPLE AND SIGN DISTRIBUTORS , ETC.
See "Advertising".

SAND DEALERS, AGENCIES, OR SALES OFFICES.
Per annum---------- 20.00

SANDWICHES AND LUNCHES-DRUG STORES.
Sandwiches, Wholesale, per annum---------- 15.00
Sandwiches, Retail, per annum---------- 3.75

SAND DEALERS.
Every dealer in, or agent for, shall pay a license tax of, per annum---------- 25.00

SECOND-HAND AUTOMOBILE EQUIPMENT
See "Automobile Equipment--Used Parts".

SECOND-HAND CLOTHING.
See "Clothing-Second-Hand".

SECURITY DEALERS.
(a) Every person, firm, or corporation, who or which is engaged in the business of dealing in securities as defined in Section 132 of the 1933 Revenue Act, or who or which maintains a place for or engages in the business of buying and/or selling shares of stock in any corporation, bonds, or any other securities on commission or brokerage, shall pay for the privilege of transacting such business, a license tax of, per annum---------- 50.00

(b) PROVIDED, every dealer as defined herein, other than banks or trust companies shall pay a license tax for theprivilege of transacting such business at each office.

(c) If every such person, firm, or corporation, described in sub-section (a) hereof maintains and/or operates a leased or private wire and/or ticker service in connection with such business, the annual license tax on the private wire or ticker service shall be---------- 50.00

SEWERS , GRADING, PAVING, SIDEWALKS, OR STORM SEWERS.
See "Contractors".

SEWER PIPE.
Every person, firm, or corporation, selling sewer pipe, shall pay a license tax, per annum, of---------- 50.00
No tax collected hereunder where building material tax is collected or where electrical contractor, plumber, steam and gas fitter tax is collected.
(See "Electrical Contractors", etc).

SEWING MACHINE AGENT
Exempt by State Statutes.

SHIPPING AND BUYING TELEPHONE PLOES, CROSS-TIES, LOGS, OR SIMILAR ARTICLES.
See "Buying and Shipping of".

SHOE OR HARNESS MANUFACTURERS OR REPAIRERS.
See "Harness Manufacturers".

SHOE SHINE PARLORS.
See "Bootblock Stands".

SHOE MERCHANTS.
Every person, firm, or corporation selling shoes at retail, shall pay the following graduated license tax based on the annual gross receipts:

Less than $2,000 annually----------	5.00
2,000 and less than 5,000----------	10.00
5,000 and less than 10,000----------	15.00
10,000 and less than 15,000----------	20.00
15,000 and less than 25,000----------	25.00
25,000 and less than 35,000----------	30.00
35,000 and less than 50,000----------	40.00
50,000 and less than 75,000----------	50.00
75,000 and over----------	75.00

SIDEWALK, GRADING, PAVING, SEWER, OR STORM SEWERS.
See "Contractors".

SIGN PAINTING.
On any sign painting contractor not employing any workmen, each, per annum---------- 10.00

On any sign painting contracots employing two workmen or less	15.00
Two or four workmen----------	20.00
Four to six workmen----------	25.00
Six or more workmen----------	30.00
Itinerant sign painters, per annum----------	100.00

SIGN TACKING, PRINTED ADVERTISEMENTS, ETC.
See "Advertisements".

SILVER PLATING
Every person, firm, or corporation, engaged in the business of silver plating, shall pay a license tax of, per annum---------- $ 25.00

SKATING RINKS.
See "Riding Devices".

SLEIGHT OF HAND EXHIBITIONS.
Prohibited.

SLING SHOTS.
See "Bowie Knives".

SLOT MACHINES
See "Machines, Slot".

SODA FOUNTAIN SUPPLIES.
Every person, firm, or corporation, selling or distributing fruits, syrups, or other supplies used at a soda fountain, where fifty percent of the [illegible] merchandise carried consists of fruits, syrups, or other supplies [illegible] shall pay a license tax of, per annum---------- 50.00

SODA FOUNTAINS.
See "Fountains, Soda".

SOFT DRINKS--SALE OF.
On each person, firm, or corporation, selling bottled soft drinks, a license tax shall be paid of, per annum---------- 2.50

SOFT DRINKS--ITINERANT SELLING.
See "Balloons".

SOFT DRINKS.
See "Drinks", also "Bottling Companies".

SOUVENIR SHOPS.
See "Gift and Souvenir Shops".

SOUVENIRS--ITINERANTS SELLING.
See "Balloons".

SPRINKLER SYSTEMS.
Exempt by State Statutes.

SPICES AND FLAVORING EXTRACTS.
See "Goods, Wares, and Merchandise".

STABLES-LIVERY.
See "Livery Stables".

STAMPS, RUBBER.
See "Rubber Stamps".

STANDS, BOOT BLACK.
See "Boot Black Stands".

STANDS, FRUIT.
See "Fruit Stands".

STANDS, LEMONADE--PUBLIC OCCASIONS.
See "Lemonade Stands".

STAR COURSES.
See "Chautauquas".

STATIONS, GASOLINE OR AUTO CLEANING.
See "Automobile Service Stations".

STEAM SHOVELS.
On each and every steam, gas, or motor driver shovel operated in the City of Asheville, a license tax shall be paid of, per annum---------- NOT PRORATED. 25.00

STEAM AND GAS FITTERS.
See "Electrical Contractors". etc.

STENOGRAPHERS PUBLIC
See "Public Stenographers".

STOCK BROKERS.
See "Brokers, Stock".

STOCK YARDS OR PENS.
Every person, firm, or corporation, operating or maintaining a yard or pen where live stock is loaded, unloaded, fed, or watered, shall pay on each yard or pen, a license tax of, per annum---------- 250.00
PROVIDED, that any person, firm, or corporation, conducting a live stock exchange or market, or engaging in the business of purchasing and re-selling live stock at auction or otherwise, and/or receiving and shipping live stock, shall pay, on each yard, a license tax of, per annum---------- 50.00
PROVIDED, further, that the provisions of this tax shall not be collected from packing house, operating or maintaining a stock yard or pen, who have paid the prescribed tax on packing houses.

STOCK AND MERCHANDISE BROKERS.
See "Brokers, Merchandise and Stock".

STORAGE OR TRANSFER WAREHOUSES.
Where a charge is made for storage services, other than cold storage, a license tax shall be paid of, per annum---------- $50.00

STORM SEWERS, GRADING, PAVING, SIDEWALKS AND SEWERS.
See "Contractors".

STOVES, Ranges--INSTALLATION.
Every person, firm, or corporation, sellingor offering for sale stoves, ranges, gas, or other water heaters, where same is connected with the water system of the City of Asheville, shall pay a license tax of, per annum---------- 25.00
It shall be unlawful for any person, firm, or corporation, to install ranges, sto gas or other water heater where the sameis connected with the water system of the City of Asheville, unless such installation is made by a plumber licensed under the provisions of the plumbing ordinance.

STREET CARS-ADVERTISING BY USE OF PLACARDS.
See "Advertising".

SUGAR.
See "Tea, Coffee and Sugar".

SUPPLIES FOR TYPEWRITER MACHINES.
Agents or dealers in supplies for typewriter machines, shall pay a license tax of per annum---------- 25.00

SURGEONS-VETERINARY.
Exempt by State Statutes.

SWITCHBACK, RAILROADS OR ROLLER COASTERS.
See "Riding Devices".

SYRUP-TABLE
Every person, firm, or corporation, manufacturing table syrup, shall pay a license tax of, per annum-----
Where employing one person---------- 10.00
Where employing two persons---------- 15.00
Where employing more than two persons---------- 25.00

"T"

TAILORS, MERCHANT.
See "Merchants, Tailors".

TALKING MACHINES.
See "Organs, Pianos, and Phonographs".

TANNERIES.
Each, per annum---------- 150.00

TEA, COFFEE AND SUGAR.
Every person, firm, or corporation, engaged in the business of selling tea, coff and sugar, where 50% of the bu iness is derived from the sale of tea, coffee, and sugar, shall pay a license tax, of, per annum---------- 25.00

TELEGRAPH COMPANIES.
Every person, firm, or corporation, domestic or foreign, engaged in operating the apparatus necessary to communication by telegraph within the corporation limits of t City of Asheville, shall pay a license tax of, per annum-------- 100.00

TELEPHONE ADVERTISING.
Every person, firm, or corporation, selling advertising space in telephone directories, shall pay a license tax of, per annum---------- 100.00

TELEPHONE COMPANIES
Every person, firm, or corporation, domestic or foreign, engaged in operating t apparatus necessary to communication by telephone within the corporate limits of the Cit of Asheville, shall pay an annual license tax of 1.44% of its gross receipts, payable semi-snnually for such business, as of December 1st and May 31st, of each tax year.

TENTS AND AWNINGS.
See "Awnings".

THEATRES.
On each room or hall used as a theatre or opera house, other than moving pictur theatres, where public exhibition or performances are given for profit, shall be paid a license tax of, per annum---------- 212.50
NOT PRORATED.

THEATRICAL COMPANIES, MOVING PICTURES OR TRAVELING VAUDEVILLE.
See "Traveling Moving Pictures".

THEATRICAL EXHIBITIONS.
See "Exhibitions, Entertainments, also Pictures".

TILE SETTERS.
Every person, firm or corporation, engaged in the business of settingtile, sha pay a license tax of, per annum---------- 10.00

TIN SHOPS OR SHEET METAL WORKING ESTABLISHMENTS.
See "Contractors and Construction Companies".

TIRE DEALERS.
See "Automobile Service Stations".

TITLE INSURANCE.
Every person, firm, or corporation, engaged in the business of guaranteeing or insuring titles, shall pay a license tax of, per annum-½---------- $ 25.00

TOBACCO, CIGARETTES, ETC.
See "Cigars, Cigarettes", etc.

TOBACCO WAREHOUSES.
Every person, firm, or corporation, engaged in the business of operating a warehouse for the sale of leaf tobacco upon commission and occupying a floor space of more than fifteen thousand square feet, shall pay a license tax of, per annum-for each warehouse---------- 50.00
With less than fifteen thousand square feet of floor space or annex, each warehouse---------- 25.00
NOT PRORATED.

TOILET ARTICLES.
See "Perfumes", etc.

TOILET ARTICLES--PEDDLERS OF.
See "Goods, Wares, and Merchandise".

TOMBSTONES AND MARBLE DEALERS.
See "Monuments".

TOURIST CAMPS.
Per annum---------- 5.00

TOYS.
Every person, firm, or corporation, selling or distributing toys, shall pay a license tax of, per annum---------- 5.00

TRADE SHOPS.
See "Printing Establishments".

TRADING STAMPS, DEVICES, ETC.
See "Devices".

TRANSFER COMPANIES.
See "Drays".

TRANSFER AND STORAGE WAREHOUSES.
See "Storage Warehouses".

TRAVEL BUREAUS OR AGENCIES.
Every person, firm, or corporation, engaged in the business of conducting a travel or transportation bureau or agency, shall pay an annual license tax of 10.00
PROVIDED, this shall not apply to any agency of a charitable organization maintained not for profit.

TRAVELING CIRCUSES.
See "Circuses".

TRAVELING THEATRICAL OR MOVING PICTURE COMPANIES.
See "Pictures, Traveling".

TUNING OR REPAIRING ORGANS AND PIANOS.
See "Organ and Piano Tuners".

"U"

UNDERTAKERS.
See "Caskets and Coffins".

UMBRELLA REPAIRERS.
Every person engaged in the business of repairer of umbrellas, shall pay a license tax of as follows:
If not more than one person is employed, per annum------ 5.00
If more than one person is employed, per annum---------- 10.00

UPHOLSTERING.
Every person, firm, or corporation, engaged in the business of upholstering or repairing furniture, shall pay a license tax of, per annum------- 15.00
PROVIDED, this tax shall not be collected from persons, firms, or corporations, paying a tax on furniture stores.

USED PARTS--AUTOMOBILE EQUIPMENT.
See "Automobile Equipment, Used Parts".

"V"

VAUDEVILLE COMPANIES, TRAVELING THEATRICAL COMPANIES, ETC.
See "Moving Pictures", also "Pictures".

VEHICLES OR WAGONS-ADVERTISING WITH.
See "Advertising".

VETERINARY SURGEONS.
Exempt by State Statutes.

VIOLIN AND GUITAR PLAYERS.
See "Orchestra, Phonographs", etc.

VULCANIZING.
See "Automobile Service".

"W"

WALL AND OTHER STREET ADVERTISING SIGNS.
See "Advertising".

WALKING ABOUT STREETS DISPLAYING SIGNS.
Each and every person, firm, or corporation, delegating someone to walk about the streets and display, for the purpose of advertising, a sign or signs, shall pay a license tax of, per day---
NOT PRORATED. $ 2.00

WASHING MACHINES.
Exempt by State Statutes.

WATERMELONS--SLICED OR CUT.
On each and every person, firm, or corporation, sellingor offering for sale, sliced or cut watermelon, shall be paid a license tax of, per annum 10.00
NOT PRORATED.
The foregoing tax shall not be collected from restaurants or drug stores who have paid the prescribed tax, and all sales shall be subject to ordinances applicable to food handling establishments.

WEIGHING MACHINES.
See "Machines, Coin".

WELDING WORK.
Every person, firm, or corporation, who makes repairs on anything by welding, shall pay a license tax of, per annum---------- 25.00

WIENERS, HOT-DOGS, AND WIENNIES.
See "Restaurants".

WILD WEST SHOWS.
See Circuses".

WINDOW CLEANERS.
Every person, firm, or corporation, engaged in the business of washing windows, cleaning floors, or general housecleaning, shall pay a license tax of, per annum:
Where employing one person---------- 10.00
Where employing two persons---------- 20.00
Where employing more than two persons---------- 30.00

WOOD, KINDLING--CHEMICAL.
(a) Every person, firm, or corporation, selling wood for fuel purposes, shall pay a license tax of, per annum---------- 5.00
(b) Every person, firm, or corporation, selling chemical kindling, shall pay a license tax of, per annum---------- 50.00

WOOD YARDS.
Saw operated by power, per annum---------- 25.00
Saw operated by hand, per annum---------- 5.00

WOOLEN MILLS.
Every person, firm, or corporation, operating a mill manufacturing woolen cloth shall pay a license tax of, per annum---------- 100.00

WRESTLING AND BOXING.
See "Games".

"Y"

YEAST.
Every person, firm, or corporation, selling or distributing yeast at wholesale, shall pay a license tax of, per annum---------- 150.00

"MISCELLANEOUS"

ALL BUSINESSES, TRADES, PROFESSIONS, GAMES, DEVICES, OR OTHER UNDERTAKINGS PROSECUTED FOR PROFIT OR GAIN, NOT TAXED HEREIN.
Per annum---------- 25.00
Per quarter---------- 15.00
Per month---------- 10.00
Per day---------- 3.00

SECTION 18.

Any person who shall willfully make any false statement in an application for a license under any section of this ordinance or schedule, shall, upon conviction, be liable for a penalty of fifty ($50.00) dollars.

SECTION 19.

That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed; provided, that such repeal shall in no way affect any right heretofore acquired for the collection on of any tax heretofore levied or assessed, or in any validity of any sales for taxes heretofore made, or any right heretofore accrued under any ordinance of this city.

I move the adoption of the foregoing ordinance, this the 21st. day of June, 1934.

John F. Baumberger
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved, and adopted by the Council 28th day of June, 1934, with 7 members of the Council present voting "aye" read, approved and adopted by the Council on second reading, 7th day of July, 1934, with 8 members of the Council present voting "aye"; and upon its third reading approved and adopted on 19th day of July, 1934, with 6 members of the Council present voting "aye". This ordinance shall become effective 4th day of August, 1934.

Wilkes Wambolt
MAYOR

H. G. Thompson
CITY COUNCIL

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Miscellaneous

Councilman Boyd reported in regard to telephone hearing he attended in Raleigh that he had obtained much information and that a request was made that reports from the different cities in the state make a request that the Governor appropriate money to secure more information available for making surveys, and he recommended that Asheville cooperate with other cities to appear before the Governor and request that an allowance be made.

Councilman Miller moved, seconded by Councilman Westall, that the Corporation Counsel and Councilman Boyd be authorized to represent the City in any way necessary to obtain an appropriation for this purpose. This motion carried unanimously.

CLINGMAN AVENUE

A motion made by Councilman Rainey, seconded by Councilman Crow, that the City Manager be authorized to proceed to secure rights of way for the improvement of Haywood Road and Clingman Avenue carried.

RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A LOT ON NORTH CLINGMAN AVENUE

A resolution authorizing the City Manager to purchase a lot on North Clingman Avenue, City of Asheville was presented and a motion of Councilman Boyd, seconded by Councilman Miller, that action be deferred until another meeting carried unanimously.

RESOLUTION AUTHORIZING TAX COLLECTOR TO INSERT NAME IN QUIT CLAIM DEED DATED FEBRUARY 20, 1933 GIVEN UNDER CERTIFICATE #1402

On motion of Councilman Ernest H. Miller, seconded by Councilman H. G. Brookshire, Resolution authorizing the tax collector of the City of Asheville to insert name in quit-claim deed dated February 20, 1933 given under Certificate #1402, was unanimously adopted.

RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE CITY OF ASHEVILLE TO INSERT NAME IN QUIT CLAIM DEED DATED FEBRUARY 20, 1933 GIVEN UNDER CERTIFICATE #1402.

WHEREAS, it appears to the City Council of the City of Asheville that lot 62, Sheet 3, Ward 4, listed in the name of William Ray, was sold for 1928 taxes: and

WHEREAS, said William Ray wanted to redeem said property and pay all taxes which were a lien on said property; and

WHEREAS, on the 20th day of February, 1933 Ottis Green, Mayor of Asheville, executed a quit-claim deed to William Ray for the above mentioned property; and

WHEREAS, it now appears that the said William Ray is applying for a home owners loan, and under the rules and regulations of the Home Owners Loan Corporation the wife of a property owner must be made a party to the transaction, and therefore William Ray and his wife, Bertha Ray, must have title to the property; and

[illegible] of the register of Deeds of [illegible] page 482 that the title to the property is in William [illegible]:

[illegible] BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

[illegible] of the City of Asheville be and he is hereby authorized [illegible] quit-claim deed the name of Bertha Ray, wife of [illegible].

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

[illegible], approved, and adopted, this the 19th day of July, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. L. Blackstock
CORPORATION COUNSEL.

On motion of Councilman Ernest H. Miller, seconded by Councilman H. G. Brookshi Resolution authorizing the Mayor of the City of Asheville to execute quit-claim deed to Mary Miles was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE QUIT-CLAIM DEED TO MARY MILES.

WHEREAS, it appears to the investigating authorities of the City of Asheville that on September 23, 1933 under Certificate #169 the City of Asheville gave a quit-claim deed to Mary Miles for Lot 29, Sheet 3, Ward 5; and

WHEREAS, said Mary Miles is now applying for a home owner's loan through the Home Owners Loan Corporation: and

WHEREAS, said deed given by the City of Asheville on September 23, 1933 was never put on record as shown by the records in theoffice of the Register of Deeds for Buncombe County, and said Mary Miles has misplaced or lost said deed and is unable to find same.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized to execute a duplicate quit-claim deed to Mary Miles for Lot 29, Sheet 3, Ward 5, listed in the name of Mary Miles.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

APPROVED AS TO FORM:
C. L. Blackstock
CORPORATION COUNSEL.

Resolution authorizing the Mayor to execute quit-claim deed to property acquir by the City of Asheville by tax foreclosure suit (F.W.Israel, listed owner) was on moti of Councilman Ernest H. Miller, seconded by Councilman H. G. Brookshire, unanimously ad

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on May 2 1934, certain tracts of land were sold by the City of Asheville, said tracts of la being acquired by the City of Asheville by tax foreclosure suits for delinquent ta for the year 1926; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in Asheville Times newspaper, after which the sale was conducted publicly at the cour house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOTS	SHEET	WARD	BID IN BY
4543	F. W. Israel	92 & 93	9	5	A. D. Wilcox by R. N. Grice, Agt.

WHEREAS, it appears that the above property [illegible] listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, receipt of which [illegible] the listed owner and returned by the post office department to the tax department of the City of Asheville, said registered letter notifying the listed owner that public sale was conducted on the above date and that the property [illegible] above; and requesting the listed owner to appear in the office of the [illegible] and file any objection to said sale; and

WHEREAS, said notice was mailed to the listed owner on [illegible], 1934, and letter was returned by the post office department to the tax department of the City of Asheville marked "Not in directory", "Unclaimed [illegible]"

WHEREAS, the required thirty days have expired and [illegible] not filed any objection to said sale; and

WHEREAS, it appears from a report of the tax [illegible] been properly listed for taxes for the years 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933 and 1934.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on the 28th day of May, 1934, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent thereto as may be calculated by the proper tax office [illegible] cost of advertising, which amount is set forth in the deed.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this the 19th day of July, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. L. Blackstock
CORPORATION COUNSEL.

A resolution authorizing the Mayor to execute quit-claim deed to former owners of property acquired by the City of Asheville by tax foreclosure suits: Listed owners: Henry Ward, Estelle B. Plunkett, T. J. Mitchell, William Simonton, Mrs. J. B. Jordan, Vasselike Xedis, J. Frazier Glenn, Giles Gilliam and J. A. Reichbard [illegible] of Councilman Ernest H. Miller, seconded by Councilman H. G. Brookshire, unanimously adopted.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO FORMER OWNERS OF PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on the 9th day of July, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by tax foreclosure suits for delinquent taxes for the years 1926, 1927 and 1928; and,

WHEREAS, notice of said sale appeared once a week for four successive weeks in The Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	REMARKS
Yr. 1926					
4133	*Henry Ward	[illegible]	15	5	Bid in by Mrs. Henry Ward
Yr 1927					
6683	Estelle B. Plunkett	155	1	5	Bid in by owner
6640	T. J. Mitchell et al	3	10	5	T. J. Mitchell is deceased, and Edna L. Mitchell, who has a quit-claim deed from T. J. Mitchell heirs, bid property in.
5556	William Simonton	16	1	1	William Simonton is deceased, and Bertha Hemphill (formerly Bertha Williams) who has a deed from William Simonton, bid property in.
Yr. 1928					
1267	Mrs. J. B. Jordan	58	7	4	Mrs. J.B.Jordan is deceased, and H.M.Jordan and J.R.Jordan, who inherited through their mother's will, bid property in.
2294	Vasselike Xedis and Lucas Xedis	35-A and 35½	2	3	Bid in by owners

		96½	2	3	Bid in by owners
		111	10	4	Bid in by owner
		145	1	6	Make deed to J. A. Beach board and G.W.Beachboard

..., it appears that the above properties were bid in at the sale by the lis... ..., for the purpose of obtaining deeds from the City of Asheville.

..., BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empow... to execute quit-claim deeds to the properties listed above, said deeds to be made as set ... to said owners, who were the highest bidders at said sale, which deeds are to be ... ... the Tax Collector of the City of Asheville who will deliver the same to the ... bidder upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent thereto as may be calculated by the proper tax officers, together with cost of advertising, which amounts are set forth in the deeds.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

... and adopted, this the ...th day of July 1934.

Wickes Wamboldt
MAYOR

L. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit (Listed owner, J. G. Anderson) was on motion of Councilman Ernest H. Miller, seconded by Councilman H. G. Brookshire, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

Whereas, it appears to the City Council of the City of Asheville that on May 28th, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by tax foreclosure suits for delinquent taxes for the ... year 1928; and

Whereas, notice of said sale appeared once a week for four successive weeks in the Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOTS	ABST.	WARD	BID IN BY
1550	J. G. Anderson	8,9,10,11, 12,13,14, 15,16,17, 18, 19	25	5	Carr Lumber Company by R. N. Grice, Agt.

Whereas, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, receipt of which was signed and returned by the post office department to the tax department of the City of Asheville, said registered letter notifying the listed owner that the public sale was conducted on the above date and that the property was bid in as shown above; and requesting the listed owner to appear in the office of the tax collector and file any objection to saidsale; and,

Whereas, the required thirty days have expired and the said listed owner has not filed any objection to the sale; and,

Whereas, it appears from a report of the tax collector that the above property has been properly listed for taxes for the years 1928, 1929, 1930 1931, 1932 and 1933.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held

July 19, 1934

... on the 28th day of May, 1934, taken from ... the City of Asheville who will ... now a lien on the said property, together ... calculated by the proper tax officers, together with cost of ... set forth in the deed.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this the 19th day of July, 1934.

Wickes Wamboldt
MAYOR

L. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Resolution authorizing the Mayor to execute quit-claim ... the City of Asheville by tax foreclosure suit (Listed ... Councilman Ernest H. Miller, seconded by Councilman ... G. ..., ...

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM ... ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville ... June 4, 1934, certain tracts of land were sold by the City of Asheville, said tracts ... acquired by the City of Asheville by tax foreclosure suit for ... year 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in the Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOTS	ABST.	WARD	BID IN BY
255	A. M. White	15	3	1	P.I. Shuford

WHEREAS, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, receipt of which was signed and returned by the post office department to the tax department of the City of Asheville, said registered letter notifying the listed owner that the public sale was conducted on the above date and that the property was bid in as shown above: and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and

WHEREAS, the required thirty days have expired and the said listed owner has not filed any objection to the sale: and

WHEREAS, it appears from a report of the tax collector that the above property has been properly listed for taxes for the years 1927, 1928, 1929, 1930, 1931 and 1932.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execut a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on the 4th day of June, 1934, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent therto as may be calculated by the proper tax officers, together with cost of advertising, which amount is set forth in the deed.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved and adopted, this the 19th day of July, 1934

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

L. G. Thompson
CITY CLERK

On motion of Councilman Ernest H. Miller, seconded by Councilman H. G. Brookshire, A resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit (Listed owner Annie Logan), was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS , it appears to the City Council of the City of Asheville that on June 4, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by tax foreclosure suits for delinquent taxes for the year 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in the Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOTS	SHEET	WARD	BID IN BY
1955	Annie Logan	164	17	5	Arthur A. York and wife, Virginia W. York

WHEREAS, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, receipt of which was signed and returned by the post office department to the tax department of the City of Asheville, said registered letter notifying the listed owner that the public sale was conducted on the above date and that property was bid in as shown above; and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and

WHEREAS, the required thirty days have expired and the said listed owner has not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the above property has been properly listed for taxes for the years 1927, 1938, 1929, 1930, 1931 and 1932; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to theproperty listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on the 4th day of June, 1934, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent thereto as may be calculated by the proper tax officers, together with cost of advertising, which amount is set forth in the deed.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this the 18th day of July, 1934

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:
C. L. Blackstock
CORPORATION COUNSEL

E. G. Thompson
CITY CLERK

Resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit (Listed owner Asheville Construction Co.) was on motion of Councilman Ernest H. Miller, seconded by Councilman H G. Brookshire, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on June 4, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by tax foreclosure suits for delinquent taxes for the year 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in the Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOTS	SHEET	WARD	BID IN BY
2316	Asheville Construction Company	104 105 106	1	6	W. S. Harrison and wife, Beulah L. Harrison

WHEREAS, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, receipt of which was to be signed by the listed owner and returned by the post office department to the tax department of the City of Asheville, said registered letter notifying the listed owner that the public sale was conducted on the above sate and that the property was bid in as shown above; and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and

WHEREAS, said notice was mailed to the listed owner on June 4, 1934, and the letter was returned by the post office department to the tax department of the City of Asheville marked "Unclaimed from Asheville, N. C. "

WHEREAS, the required thirty days have expired and the said listed owner has not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the above property has been properly listed for taxes for the years 1927, 1928, 1929, 1930, 1931 and 1932; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF Asheville:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on the 4th day of June, 1934, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent thereto as may be calculated by the proper tax officers, together with cost of advertising, which amount is set forth in the deed.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this the 18th day of July, 1934.

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:
C. L. Blackstock
CORPORATION COUNSEL

E. G. Thompson
CITY CLERK

On motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, July 26, 1934- 4:40 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John F. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, E. H. Miller, W. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager, Geo. L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

A notice of claim for damages for personal injuries, filed by Louise Clements, [illegible] Clement, against the United Mortgage Company, Asheville Nehi Bottling Company, Incorporated, and the City of Asheville, was filed by Lewis L. Rishel, Attorney, and ordered referred to the Corporation Counsel.

[illegible] OF NOTICE OF CLAIM
[illegible] P. [illegible]

LOUISE CLEMENT, by her next friend, FLORENCE CLEMENT, Plaintiff. vs UNITED MORTGAGE COMPANY, ASHEVILLE NEHI BOTTLING COMPANY, INCORPORATED, and the CITY OF ASHEVILLE, a municipal corporation) Defendants.

NOTICE OF CLAIM FOR DAMAGES FOR PERSONAL INJURIES.

TO THE HONORABLE WICKES WAMBOLT, MAYOR OF THE CITY OF ASHEVILLE; TO THE HONORABLE GEORGE HACKNEY, CITY MANAGER; and to THE BOARD OF COUNSEL FOR THE CITY OF ASHEVILLE:

LOUISE CLEMENT, claimant above named, being first duly sworn, deposes, gives notice, and makes claim and demand upon the City of Asheville, a municipal corporation, by and through her next friend as follows:

1.

The Claimant is sixteen years of age and is a resident of Buncombe County, North Carolina, residing at 587 Depot Street in the City of Asheville.

2.

That on the 24th day of June, 1934, the claimant was walking in a northerly direction on the sidewalk of Southside Avenue, and on the south side of Southside Avenue; that there was a grating constructed on the said sidewalk in front of a building owned by the United Mortgage Company and occupied by the Asheville Nehi Bottling Company, Inc., which said grating was installed for the evident purposes of ventilation and also for convenience in delivering coal or other things to the basement of the said building; the said grating was in a state of bad repair, allowing the bars to separate to an unsafe extent; that the claimant stepped upon the said grating; that the grating separated allowing the claimant's foot to become fast by the said grating; that as a result of her foot becoming fast in the said grating the claimant fell forward and slightly to her right against a window in the building belonging to the Defendant, the United Mortgage Company, cutting the claimant's wrist severly and injuring the claimant's ankle; that the plaintiff was immediately taken to the Mission Hospital for treatment and there received treatment; that the plaintiff's injuries were such as to require seven stitches to close the wound and that they were so severe that the claimant has been totally disabled from date of accident to the present time, and that she is not now fully recovered of her injuries.

3.

That the said Southside Avenue in the City of Asheville is a public thoroughfare; that the City of Asheville is charged with the duty of maintaining a sidewalk on its thoroughfare in a safe and sound condition; that the said sidewalk was in an unsafe and dangerous condition andhad been for a long period of time; that the City of Asheville, knew or had reason to know, or by the exercise of ordinary or reasonable care, should have known of the dangerous and unsafe condition of the said sidewalk; that the law imposes the duty upon the City of Asheville to inspect, repair, and keep the said sidewalk in a safe condition; that the City of Asheville was negligent in that it failed to repair and keep the said sidewalk in a safe condition:

4.

That the Claimant's injuries, as hereinaboe, described were caused by the negligence of the City of Asheville, and the negligence by the United Mortgage Company and the Nehi Bottling Co., Incorporated.

5.

That as a result of the injuries to the cliamant, caused by the negligence of the City of Asheville, and the United Mortgage Company and the Asheville Nehi Bottling Company, Inc., the claimant has been damaged in the sum of $1,000.00, and hereby serves notice and makes claim on the City of Asheville in that amount.

L. Clement
CLAIMANT

Sworn to and subscribed before me, this the 26 day of July, 1934.
Lewis L. Rishel
Notary Public.

(SEAL)
My commission expires: May 8, 1935.
Presented to the Board of Councilmen of the City of Asheville, N. C., at a meeting regularly held in the City of Asheville on _____ day of July, 1934.

[illegible]

A resolution authorizing the Mayor to execute quit-claim deeds to former owners of property acquired by the City of Asheville by tax foreclosure suits (Cert. Nos. [illegible], Norman J. Warner and John J. Sample) was on motion of Councilman Plott Boyd, seconded by Councilman Ernest H. Miller, unanimously adopted.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEEDS TO FORMER OWNERS OF PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS.

WHEREAS, it appears to the City Council of the City of Asheville that on the 23rd day of July, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by [illegible] suits for delinquent taxes for the year 1928: and

WHEREAS, notice of said sale appeared once a week for four successive weeks in The Asheville times newspaper, after which the said [illegible] publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	CAL.	REMARKS
693	Norman J. Warner and wife, Amy B. Warner	22	4	[illegible]	[illegible]
2149	John J. Sample	52	28	[illegible]	[illegible]

WHEREAS, it appears that the above property was sold to the [illegible] by the listed owners, who are desirous of obtaining deeds to the properties listed above, said deed to be made as set out above to said owners, who [illegible] at said sale, which deed are to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidders upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent thereto as may be calculated by the proper tax officer, together with all costs and penalties, which amounts are set forth in the deeds.

I move the adoption of the foregoing resolution.

Plott Boyd
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved, and adopted, this the 26th day of July, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

A motion made by Councilman Miller and seconded by Councilman Rainey that this meeting recess until 10 o'clock [illegible] morning, carried unanimously.

Wickes Wamboldt
Mayor

E. G. [illegible]
City Clerk

Monday, July 30, 1934- 10 o'clock, A. M.

The City Council reconvened, Mayor Wamboldt presiding. Present: Councilmen John L. Baumberger, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall.

Councilman Chas. F. Crow moved, seconded by Councilman E. H. Miller, moved that Resolution authorizing the execution of an agreement between the City of Asheville and Refinance Corporation for the readjustment of the outstanding indebtedness of the City of Asheville and declaring an emergency be adopted.

Councilman Baumberger moved, seconded by Councilman Crow, that the resolution be amended in Section C line 4 by striking out "Threateneing to result" and inserting "Resulting". This motion carried.

A motion made by Councilman Crow, seconded by Councilman Westall that the resolution lie on the table until the next regular meeting carried unanimously.

It was moved by Councilman Crow, seconded by Councilman Miller, that Corporation Counsel C. L. Blalock confer with County Attorney, Clinton Highes regarding the legality of the contract, necessary changes in the agreement be considered and a report be made at the next meeting. This motion carried.

Councilman Miller moved, seconded by Councilman Crow that reports from Hill Reporting Agency and Bishop's Service Inc., of Illinois and telegrams in regard to Refinance Corporation be made a part of the minutes. This motion carried.

Report by Hill's Reporting Agency.

REFINANCE CORPORATION Financing Service CHICAGO, ILL. 111 W. Monroe St.

PERSONNEL OF REFINANCE CORPORATION

C. Fremont Robertson, Chairman of Board
E. Jay Comer, Former President
Arthur C. Lueder, Executive Vice President
Duncan M. Hair, Vice President
Charles B. Vihon, Vice President
Louis B. Harris, Secretary and Treasurer
L. K. Tillman, Assistant Secretary
N. Manilow, General Manager.

DIRECTORS: C. Fremont Robertson, Arthur C. Lueder, Louis B. Harris, Charles B. Vihon, H. B. Jameson, Duncan M. Hair, N. Manilow.

HISTORY.

An Illinois corporation formed in 1932 with an authorized capital of 100 shares of [illegible] par value, together with a pledge by the incorporators to furnish all [illegible] needed.

C. Fremont Robertson is a banker and lawyer, having been admitted to the bar in Nebraska in 1898. Now is President of the Forreston State Bank, Forreston, Illinois. For thirty years resided in Wyoming, having organized and built the Hanover Canals, a large irrigation project in the West. Mr. Robertson also developed the town of Worland, Wyoming, and has wide experience in developing and financing such projects. His net worth has been estimated in excess of a million dollars.

E. Jay Comer, formerly president of this corporation, resigned recently, announcement being made as follows: Owing to the appointment of E. Jay Comer to the Staff of the Federal Trade Commission, with headquarters at Washington, D. C, in charge of the analytical division, and assisting in the administration of the new Federal Securities Act the appointment has necessitated his resignation as president and direction of the Refinance Corporation. He is forty years of age, married, resided in Glen Ellyn, Ill., and in former years was an executive of Peabody, Houghteling & Co., Bankers, Chicago, being later a Vice President of Hambelton & Co., Bankers, at New York City; also for a year was in the diplomatic service as a member of the American Legation at the Hague, Holland.

Arthur C. Lueder is fifty-seven years of age, married and served as Postmaster of Chicago from 1914 until just recently. Has been identified with the general investment business in Chicago since 1899 and did business as Arthur C. Lueder & Co. until said business was disposed of a few years ago. He is interested in the Union Copper Company with plants in Mexico, Inter Ocean Paving and Construction Company and other industrial organizations. Has been an officer and member of many organizations such as the Chicago Real Estate Board, Cook County Real Estate Board. Has always been a man of means and enjoys a very comfortable financial position. Mr Lueder is now President of Manhattan Brewing Company, the largest brewery in Chicago, and a company privately owned, having no mortgage indebtedness.

H. B. Jameson is the President of the Arrow Mill Co., Chicago, and Illinois Corporation formed in 1920, which company is one of the largest battery separator manufacturing concerns in this country. Mr. Jameson is reputed to be worth in excess of a million dollars.

Nathan Manilow is forty years of age, married, [illegible], is President of the Refinance Corporation, a $750,000 company organized in 1932. This Corporation, a general finance business. In past years has been engaged as consultant and adviser. In 1928 was charged with the reorganization of [illegible] total deposits of which were in excess of twenty million [illegible], in finance and is highly regarded in banking circles.

Duncan M. Hair, is forty years of age, married, [illegible] Illinois, and for a good many years was associated with Peabody, Chicago banking institution. For approximately eight years [illegible] Advertising Co., which handled a very substantial volume of financial [illegible] wide general banking experience embracing full knowledge of [illegible] adjustment.

Charles H. Vihon is thirty-seven years of age, single, [illegible] interested in the Independence Auto Sales Co., Chicago, distributors [illegible] company. Later was associated with the Realty Investment Company, [illegible] developer of suburban real estate, being considerable experience [illegible] business, with substantial means.

Louis B. Harris is thirty-six years of age, married, [illegible] identified with the real estate business as L. B. Harris & Co., [illegible] developments in the Chain O' Lakes section in proximity to Chicago, [illegible] excellent financial circumstances, and is a member of the Chicago [illegible] Wisconsin Association of Real Estate Boards, Chicago Real Estate Board, [illegible].

Others associated are Thomas [illegible], former [illegible] and head of T. L. Chapman and Cutler, [illegible] counsel and [illegible] firm of Chapman and Cutler, William S. Mackey, now in charge of the [illegible] with Taylor, Ewart and Company. John Reed [illegible] & Co. Eugene Carroll was for the past four and one half years [illegible] of New York.

In addition to these men, others associated with the corporation [illegible] enjoyed responsible positions with leading financial institutions.

METHOD OF OPERATION

Specialize in the reorganization of municipalities and industrial and utility companies, planning the rearrangement of capital structure, etc., for [illegible] burdensome fixed liabilities, such as bond issues, debentures, and preferred stocks. By appropriate reorganization it is planned that such institutions [illegible] enabling them under existing conditions to meet present requirements and [illegible] developments. Are qualified as general security dealers, have [illegible] men to handle contracts for such service, and have representatives in [illegible] Houston, Texas, Minneapolis, Minnesota, and San Francisco, California.

The Company since its inception in [illegible] reorganizations involving the adjustment of funded [illegible] dollars, and further is said to have satisfactorily [illegible] without a single failure. One of the later and more noteworthy [illegible] Company was for formation and effecting of a refunding program [illegible] Michigan. This program involved some $4,500,000 of [illegible] for new 20-year bonds and because of the stringent terms of the contract between [illegible] the Company as its refunding agent was unable for a year or more [illegible] terms, 80% of the affected securities not responding to the refunding. [illegible] and the fact that this was accomplished in the midst of business depression [illegible] allowance is indicative of the [illegible] which today face municipalities and industrial and utility [illegible] Company's success is attributed to its [illegible] specializing in this type of service.

FIRM BACKGROUND

Offices are located in a fireproof constructed bank and office building in the section of the financial district. FIRM RACKET: None reported.

FINANCIAL INFORMATION.

It is stated the officers originally obtained sufficient capital for [illegible] the contracts handled and that additional capital was soon supplied as requirements of the business developed. No advance fee is charged, the work being done on an entirely [illegible] basis with a commission being charged for results actually obtained.

The officers and associates are known to be experienced in this line of [illegible] are credited with outside resources of consequence and will no financial statement is furnished, as this is a service organization, reports have indication that resources are adequate for projects already undertaken, and that further resources are available at any time the need arises.

Relations in banking quarters have been reported as satisfactory, with [illegible] banking credit required for the corporation.

PAYMENTS

The Company requires, and seeks, no lines of general commercial credit, operating requirements having been reported as being met promptly.

Report of Bishop's Service Inc. of Illinois

July 20, 1934

Gentlemen:

In reply to your inquiry regarding REFINANCE CORPORATION Financing Service, 111 West Monroe Street, the following information is submitted:

They are an Illinois corporation formed in 1932 with an authorized capital of 100 shares of stock of no par value, together with a pledge of all the capital required, to be furnished by the incorporators.

The personnel consists of C. Fremont Robertson, Chairman of the Board, E. Jay Comer, formerly president, Arthur C. Lueder, executive vice president, Duncan M. Hair, Vice President, Chas. H. Vihon, vice president, Louis B. Harris, Secretary and Treasurer, E. K. Tillman, Assistant Secretary, N. Manilow, general manager, with directors as follows: C. Fremont Robertson, Arthur C. Lueder, Louis B. Harris, Charles H. Vihon, H. B. Jameson, Duncan M. Hair, and N. Manilow.

C. Fremont Robertson is a banker and lawyer, admitted to the bar in Nebraska in 1886. He is now president of the Forreston State Bank, Forreston Ill., and for thirty years resided in Wyoming, having organized and built the Hanover Canals, a large private irrigation project in the West. Mr. Robertson also developed the town of Worland, Wyo., has had wide experience in developing and financing such projects. His net worth is estimated at more than a million dollars.

E. Jay Comer, formerly president of this corporation, who resigned recently, announcement being made as follows: "Owing to the appointment of E. Jay Comer to the staff of the Federal Trade Commission, with headquarters at Washington, D. C., in charge of the analytical division, and assisting in the administration of the new Federal Securities Act the appointment has necessitated his resignation as president and director of the Refinance Corporation. He is forty years of age, married, resided in Glen Ellyn, Ill., and in former years was an executive of Peabody, Houghteling & Co., Bankers, Chicago, being later a Vice President of Hambelton & Company, Bankers, at New York City; also for a year was in the diplomatic service as a member of the American Legation at the Hague, Holland.

Arthur C. Lueder is forty-seven years of age, married and served as Postmaster of Chicago from 1921 until just recently. Has been identified with the general investment business in Chicago since 1898 and did business as Arthur C. Lueder & Co. until said business was disposed of a few years ago. He is interested in the Union Copper Company with plants in Mexico, Inter Ocean Paving and Construction Company and other industrial organizations. Has been an officer and member of many organizations such as the Chicago Real Estate Board, Cook County Real Estate Board. Has always been a man of means and enjoys a very comfortable financial position. Mr. Lueder is now President of Manhattan Brewing Company, the largest brewery in Chicago, and a Company privately owned, having not mortgage indebtedness.

H. B. Jameson is the President of the Arrow Mill Co., Chicago, an Illinois corporation formed in 1920, which company is one of the largest battery separator manufacturing concerns in this country. Mr. Jameson is reputed to be worth in excess of a million dollars.

Nathan Manilow is forty years of age, married, and, in addition to being General Manager of the Refinance Corporation, is President of the Commercial Discount & Finance Corporation, a $750,000 company organized in 1925. This latter company is engaged in the general finance business. In past years he has represented many banks in the Chicago area as consultant and adviser. In 1929 was charged with the reorganization of two banks, the total deposits of which were in excess of twenty million dollars. Has had wide experience in finance and is highly regarded in banking circles.

Duncan M. Hair is forty years of age, married, owns his home at Glen Ellyn, Illinois, and for a good many years was associated with Peabody, Houghteling & Co., a large Chicago banking institution. For approximately eight years was a principal of Dickinson Advertising Co., which handled a very substantial volume of financial advertising. Has had wide general banking experience embracing full knowledge of corporate set-up and debt adjustment.

Charles H. Vihon is thirty-seven years of age, single, and from 1920 to 1925 was interested in the Independenxe Auto Sales Co., Chicago, distributors for a large automobile company. Later was associated with the Realty Investment Company, and also as an owner and developer of suburban real estate, being considered experienced in the general investment business, with substantial means.

Louis B. Harris is thirty-nine years of age, married, and for years has been identified with the real estate business as L. B. Harris Co. (not Inc.), handling large developments in the Chain O'Lakes region in proximity to Chicago. Is considered in excellent financial circumstances, and has membership in the Chicago Board of Underwriters, Wisconsin Association of Real Estate Brokers, Chicago, Association of Commerce,

Others associated are Truman L. Chapman, formerly with P. W. Chapman and Company and head of T. L. Chapman and Company. He is a brother of Theodore Chapman, the head of the firm of Chapman and Cutler, eminent counsel and attorneys for the Harris Trust & Savings Bank.

William T. Mackey, now in charge of the office at Houston, Texas, was for many years associated with Taylor, Ewart and Company.

John Mead was for many years associated with Halsey Stuart & Co.

July 30, 1934

Eugene Carroll was for the past four and one-half years with the Bond [illegible] Company of New York.

In addition to these men others associated with the corporation likewise formerly enjoyed responsible positions with leading financing and investment institutions.

They specialize in the reorganization of municipal [illegible] utility companies, planning the re-arrangement of capital [illegible] having burdensome fixed liabilities, such as bond [illegible] By appropriate reorganization it is planned that such [illegible] enabling them under existing conditions to meet present [illegible] future developments. Are qualified as general security [illegible] experienced men to handle contracts for such service, and have [illegible] Houston, Texas, Minneapolis, Minnesota, and San Francisco, California.

The Company since its inception is reported to have [illegible] reorganizations involving the adjustment of funded and other debt [illegible] dollars, and further is said to have satisfactorily [illegible] without a single failure.

One of the later and more notable [illegible] tion and effecting of a refunding program for the City of Grand Rapids, Michigan. This program involved some $4,500,000 of near-term bonds, which [illegible] bonds, and because of the stringent terms of the contract between [illegible] its refunding agent was considered a very difficult undertaking. [illegible] the affected securities were required to be deposited in escrow [illegible] that this was accomplished and the plan declared operative [illegible] indicative of the understanding and ability of the [illegible] face municipalities and industrials and public utility [illegible] is attributed to its large, strategically located personnel, experienced [illegible] type of service.

It is stated the officers originally planned [illegible] the contracts handled and that additional capital [illegible] business developed. No advances [illegible] basis with a commission being [illegible]

The officers and associates [illegible] are credited with outside resources of [illegible] as this is a service organization, [illegible] projects already undertaken, and [illegible]

Relations in banking quarters have been reported satisfactory, [illegible] banking credit required for the corporation.

The Company requires, and seeks, no lines of [illegible] requirements having been reported as being met promptly.

Respectfully,
BISHOP'S SERVICE, INC.

[illegible]

Grand Rapids Mich. Jul 18.

George Hackney
City Manager Asheville NCar

Refinance Corporation Chicago have been successful in securing bonds involved in GrandRapids Refunding Program for exchange most of the bonds have been received for exchange and it appears that the small number not yet received or committed will probably be obtained within a short time
William Timmers Mayor

[illegible]

Grand Rapids Mich Jul 18

George Hackney
City Mgr City Hall Asheville NCar.

The Refunding of GrandRapids bonds was initiated and nearly completed during my term of office as mayor Refinance Corporation of Chicago duly consummated a refund plan for our city in substantially less than the shortest time [illegible] Refinance Corporation is resourceful capable and reliable in such matters and our experience with them entirely satisfactory.

John D. Kassel

Chicago Ill. Jul 18.

George Hackney
City Manager City Hall Asheville NCar

We are qualified to procure loan from R F C subject to investigation and approval of program will financially support Refinance Corporation in its undertaking

General Bond & Mortgage.

Chicago Ill. July 26

Ernest H. Miller
Vice Mayor City of Asheville N Car

Refinance Corporation handled Grand Rapids Michigan refunding successfully and satisfactorily to city and bondholders stop their success in Asheville dependent upon ability to cooperate with bondholders committee and develop fair plan of adjustment stop suggest you contact Henry Hart before retaining any agent.

Carl H. Chatters.

Grand Rapids Mich
July 27

George Hackney
City Manager Asheville N Car

Refinance Corporation Chicago handled refunding for City of Grand Rapids and did a very satisfactory and successful job stop having observed their work here we are willing to state that we would cooperate with them on any sound plan your municipalities propose

Grand Rapids Trust Company

New York NY July 27

George Hackney
City Mgr Asheville N Car

Will support Refinance Corporation in refunding undertaking involving Asheville and Buncombe County indebtedness

A. D. Davis & Co 17 Battery Place

Grand Rapids Mich. July 27

Geo Hackney City Manager
City Hall Asheville N Car

Understand you considering refinance corporation Chicago for readjustment Buncombe County bond situation stop this concern successfully completed refunding program City Grand Rapids when most investment bankers felt refunding unattainable would like to work with them again on your refunding program if they are successful in obtaining contract with you.

Jay Petter Pres J. H. Petter & Company
356 Michican Trust Bldg Grand Rapids Michigan

A resolution authorizing the Mayor to execute quit-claim deed to Elizabeth W. Gudger was on motion of Councilman Ernest H. Miller, seconded by Councilman H. G. Brooks unanimously adopted.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT CLAIM DEED TO ELIZABETH W. GUDGER.

WHEREAS, the City foreclosed certain lots, namely Lots 227 and 228 of Sheet 15, Tract 2, for 1928 city taxes: and

WHEREAS, it appears to the City Council of the City of Asheville that Elizabeth W. Gudger is now owner of said lots; and

WHEREAS, the records show that the County of Buncombe has a tax deed on said property before same was gotten by the City of Asheville: and

WHEREAS, the County of Buncombe, by virtue of a tax deed older than that of the City, was already vested said property to said Elizabeth W. Gudger:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE that the Mayor be and he is hereby authorized to sign a quit-claim deed to Elizabeth W. Gudger upon payment of $46.36, 1928 city taxes, and all subsequent taxes.

I move the adoption of the foregoing resolution.

SECONDED BY: H. G. Brooks
Councilman

Read, approved and adopted this 30th day of July, 1934.

Wicks Womboldt
Mayor

E. B. Thompson
City Clerk

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

On motion, adjourned

Wicks Womboldt

Mayor

City Clerk

Thursday, August 2, 1934 - 4:30 P. M.

The City Council met in regular session: Mayor Womboldt presiding. Present: Councilmen John E. Baumberger, Platt Boyd, H. G. Brooks, Charles F. Crow, Jr., Ernest H. Miller, H. W. Rainey, Wicks Womboldt and Jack Westall, City Manager George A. Hackney and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

A resolution authorizing the execution of an agreement by the City of Asheville and Refinance Corporation for the readjustment of the outstanding indebtedness of the City of Asheville and declaring an emergency which was introduced at the meeting and tabled for consideration.

Councilman Little moved, seconded by Councilman Miller, that Rider "A" be withdrawn and Rider "B" be substituted and attached to the resolution. Corporation Counsel C. E. Blackstock explained that the changes made in Rider "B" were merely to safeguard the City and for clarification. This motion was then voted on and carried.

An amendment offered by Councilman Baumberger, seconded by Councilman Rainey that the agreement be amended by striking out 30% in Option No. 1 and inserting in lieu thereof 25%, carried.

A motion was then offered by Councilman Westall, seconded by Councilman Baumberger, that action on the resolution be deferred for one week.

Councilman Westall read the following telegram:
"Mayor Wicks Womboldt, City Hall, Asheville, N. C.
I represent group that is interedted in negotiating purchase of all outstanding obligations Buncombe County and City Asheville for cash stop provided group has opportunity to work out mutually satisfactory plan for purchase of obligations to be created will come to Asheville when performance asked I refer to Wachovia Bank Fla Vice Pres First Natl B. Minich Chairman Chase Natl Group pres Federal Advisory.
A. Perry Osborn".

After considerable discussion, Councilman Crow moved that he and Mayor Womboldt confer with Mr. Hanflow and could now officially state that a vote for postponement meant a vote against the proposal.

A vote was then taken on the motion that action on the resolution be deferred until next Thursday, Councilmen Baumberger, Boyd, Brooks, Womboldt and Westall voting "aye", Councilman Crow, Little, Miller And Rainey voting "no", the motion carried.

Opinions in regard to the authority of the City Council in authorizing the executing of the contract from Attorneys Alfred S. Barnard, Zeb F. Curtis, James J. Britt, C. E. Blackstock and J. W. Pless, a telegram from Chas. M. Johnson, Director of Local Government and a copy of letter from Ohio Gravel Company were read.

August 2, 1934

To the Mayor and Council of the City of Asheville:

We have carefully considered the proposed contract between the City of Asheville and the Refinance Corporation, together with certain suggested modifications and amendments thereto, and are of theopinion that the City has full legal authority to enter into such a contract.

Yours very truly,
Alfred S. Barnard
Zeb F. Curtis.

August 2, 1934.

Hon. George L. Hackney
City Manager
Asheville, N. C.

My dear Mr. Hackney:

I am returning herewith, with my sincere thanks, the copy of proposed contract between the City and the Refinance Corporation, which you were good enough to let me read.

May I be pardoned from intruding a word or two upon the situation? Mr Blackstock has orepared this form of contract with care and proper attention to the law involved. I think it would be entirely enforcible if entered into, and I earnestly hope that the Council may see its way to give it a trial.

I am clearly of the opinion that such a course would be entirely within legal right, the only questions being its expediency and the ability of the Refinance Corporation to meet the obligation, It should be borne in mind that it is an emergency that confronts us. Of course, the law is, generally speaking, against the delegration of official functions. But this is not a delegation of official power in a legal sense. Both the County and the City have, as I understand it, already, and quite properly, I think used private agencies in their endeavors to make adjustment of County and City indebtedness, by way of payment for expenses and services, and there is no difference in principle between such practice on a large scale and on a small scale. In emergencies like this, the law cannot be applied in the old, conservative, and conventional way, but must be construed to meet the emergent conditions. The United States Supreme Court gives us striking examples of this in the Minnesota and New York cases, even, admittedly, temporarily overpowering the Constitution in order to meet urgent public necessities.

I could [illegible] that theproposed might be accepted by both the Council and the Refinance Corp.

Again thanking you, I am

Sincerely yours,
James J. Britt.

August 2, 1934

To the Honorable Mayor and
City Council of the City of
Asheville,
Asheville, N. C.

Gentlemen:

Under the new andproposed contract, being now submitted for the signatures of the City of Asheville and the Refinance Corporation of Chicago, it is my opinion that there is no hazzard being assumed by the City in authorizing the execution of this contract as proposed.

In effect, the proposed contract is nothing except the outlining of three principles by the City Council upon which it authorized the Refinance Corporation to undertake to procure the consent of our creditors to a refunding arrangement in accordance with these three fundamental principles, with the ultimate aim of proceeding to Federal Court under the Wilcox Bill for the final consummation of the refunding agreement. Every modification of the agreement and every detail of the refunding agreement must be passed upon by the City Council before it can become effective; and the final petition, which is to be filed in the United States Court must be in "manner, form and substance agreeable to City".

Respectfully submitted,
C. E. Blackstock
Corporation Counsel

[illegible] Asheville, N. C. [illegible]

To the City Council,
Asheville, N. C.

Gentlemen:

Late this afternoon I was asked to render an opinion [illegible] City of Asheville to enter into the proposed contract with the Refinance Corporation.

With all possible deference to the opinion of the County Attorney, [illegible] by Mr. Merrimon and Mr. Jones, I beg to differ with them in [illegible] to the whole contract, and especially as it relates to the City of Asheville. [illegible] briefly analyzing the contract for the purpose of determining its validity. I may briefly state my understanding.

First, broadly considered, it is a contract of agency [illegible] a specific purpose. The Refinance Company is employed [illegible] negotiating in behalf of the City for the exchange of bonds, [illegible] Corporation, in the event of its success, shall receive a certain [illegible] Corporation offers its services in the negotiation with the [illegible] effect that they surrender their bonds in a maximum [illegible] bonds in much less amount, than it is required by [illegible] of this contract shall be approved by the Local Government [illegible] North Carolina.

It must be noted that [illegible] notwithstanding the contract, there is [illegible] substance of exchange of bonds. From your [illegible]

"The City on its part does by [illegible] and authorizes it to [illegible] definite plan whereby [illegible] City, and, subject to the approval of the [illegible] definite plan is worked out, from time to time [illegible] to such changes to which it may be mutually agreed [illegible] and Refinance, hereby authorizes Refinance [illegible] negotitations for the assent of [illegible] such bonds and notes and for the ultimate exchange thereof".

It must be kept in mind that the whole [illegible] Corporation shall render certain services and upon [illegible] specifically stated. The maximum terms permitted [illegible] clearly stated, without which they can make no [illegible]

In my opinion, this may be simplified by calling it a contract of [illegible] the City of Asheville, and not [illegible]. Therefore, if they can [illegible] for the City, they can contract for negotiation in relation to [illegible] fully understood, without reference to Court decisions, [illegible] contract in the employment of lawyers, may contract for [illegible] its employees. The City is a corporation with [illegible] the Charter, found in Pomeroy's Code, which, for [illegible]

"1. Municipality created. The inhabitants [illegible] continue as they have [illegible] the name and style of the "City of [illegible] perpetual succession, and [illegible] may acquire and [illegible] bequeathed, sold, [illegible] disposal of same, and may [illegible] pleasure, and may [illegible] necessary for its [illegible] Corporations".

And under the [illegible] of Pomeroy's Code, the following:

"(4) It shall [illegible] shall bind or be obligatory upon the City [illegible] resolution adopted by the Board of Commissioners, [illegible] approved by said Board [illegible] adopted by the Board".

It has like powers under the general statutes [illegible] as shown by Section 56 of the Consolidated Statutes.

However, we fully concur with Mr. Hackney [illegible] that the municipality cannot delegate its powers. This is [illegible] ing to municipalities, but is specifically stated in Section [illegible] Statutes, which is as follows:

"The corporate powers can be exercised only by the [illegible] in pursuance of resolutions adopted by them [illegible] provided".

Hence, we do not attempt to evade this provision, as stated by Mr. Hackney, [illegible] differ with him on his construction of this contract. It is true that the contract is not being made with the bondholders, but it is equally true that the contract is to be made by the City Council: under which it appoints agents for that specific purpose.

As I understand, the position of the attorneys is to the effect that the contract is illegal because it is a delegation of power. If the contract is desirable, then there can be no possible question that the City Council or the Board of County Commissioners may, from time to time, by resolution adopte the work of the agent when anything of importance is done or when the contract is completed. No lawyer will deny that if the governing body has improperly delegated the power, it may cure it by ratification in the interim or when completed, and then it unquestionably becomes the act of the corporate power, so as to which no question of delegation can be raised.

Is it to be doubted that the City Council may adopt a resolution in which it names by which the Mayor and certain of the City Council may go to New York and negotiate with a bank for financing? May the City Council, by proper resolution, employ a contractor to build streets or other constructions in behalf of the City and pay a commission or a specific amount for their ingenuity, work or labor? May not the City employ an architect to employ a contractor to build streets or buildings under specific instructions and provisions so as to bind the City to pay the commissions for such architect for his negotiations and supervision?

In my opinion, I repeat, this is a simple contract of employment, and, except the amount involved, no one would question its validity. The City may employ a lawyer to settle a damage suit, giving him discretion within certain limits, and possible within any limit fixed, and agree to pay him commissions or compensation conditioned upon the settlement.

With all deference to Mr. Hughes, I believe that the cases cited by him, insofar certainly, as they relate to the City of Asheville, are distinctly opposed to his position. He cites the McPhail case, 119 N. C. 332, in support of his position that the County could not delegate its powers. In this case the County Commissioners made an order in which it was stated: "The repairs of Evans Creek Bridge are referred to R. J. Harrison and Alexander McNeil". This is theonly order that was made and the only authority given. Acting under this order alone, the two persons referred to made a contract for building a bridge. The contract was never made by the Commissioners,nor was it recognized in any manner. Under the statute, the Commissioners were required to let all such contracts. It will be seen that the Commissioners made no contract, nor did they in any wise authorize the contract for a bridge. The Court held the contract for the building of the bridge was not the contract of the Commissioners, nor was the order sufficient to enable the persons appointed to make the contract; yet the Court held that the County must pay for the value of the work under the doctrine of quantum meruit.

How different is the contract offered here. It is specific in all its terms except where in may instance it is left to the future discretion of the City Council and it is the contract of the City Council with specific persons, for specific objects.

Mr. Hughes further calls attention to the case of Madison County v. Coxe, 2[illegible] N. C. 58. This case involves parties and attorneys known to this Bar and probably to the City Council. It relates to listing taxes. Under the statute involved at the date that this case arose, it was specifically required that the "Chairman of the Board of County Commissioners shall examine the tax list and insert therein all property not given in, and shall charge the owner with the statutory penalty", etc. The Chairman did not insert this, but someone unauthorized by the County Commissioners did insert, causing the land to be sold for taxes, resulting in a suit in which the Court said the statute must be complied with, as its terms were specific. Of course, under such a statute, there could be no delegation of power, and we can see no application in this case to the contract proposed to be executed by the City Council.

There is another phase of this contract with which the County Attorney deals although it does not appear to affect the validity of the contract. Mr. Hughes states that the contract is uncertain as to the 60-day limitation in which the City Council may determine whether or not the Refinance Corporation is able to perform its part of the contract as to finances, etc. This involves Section 4 of the contract. For your immediate convenience, I wish to quote the first part of this section:

> "If within 60 days after this agreement has been executed and approved by both the Board of Financial Control for Buncombe County and by the Local Government Commission of the State of North Carolina, Refinance shall not have given to the City assurance, satisfactory to the City, of its ability to provide the cash required to retire the outstanding bonds and notes, and to consummate this agreement as herein contemplated, the City at its option, in its discretion and its election may, without any liability or obligation to Refinance whatsoever, terminate this agreement by a written notice to that effect delivered or mailed at Asheville, N. C., by registered mail within during said 60-day period or within ten days after expiration of such 60-day period, to Refinance, addressed to it at its office at 111 West Monroe Street in the City of Chicago, Ill".

I do not understand how this is uncertain in ay respect. The matter is left entirely "at the option within it discretion and its election" to determine whether or not it desires to proceed under this contract, without any liability or obligation, to therminate the agreement by written notice. We all know the effect of the terms "discretion" and "election", and we can think of no addition that could be made to make it more specific. The remainder of this paragraph four does not in any way affect the paragraph quoted. It provides for further options on the part of the City if it fails to take advantage of this clause. As the contract is specific in all terms, except where it is left for the further discretion of the Council, and is the contract of the Council with an agency, I cannot see where in any respect there is a surrender whatever or delegation of power to Refinance Corporation.

Insofar as I represent owners of property in Asheville, all are anxious for very early action. Insofar as I have talked with them or with any person interested in Asheville, it is thought that a settlement under the terms offered here would be greatly to the advantage of the City and would immediately have a salutary effect on the purchase and sale of real estate and the openingof business generally. Of cours, I am not attempting to deal with the financial standing of theparties offering this contract, or offering any suggestions except as to the legality of such contract as is now offered to the City.

I prepared this opinion within the time I [illegible] for consideration at your meeting tomorrow. However, [illegible] your Council, and all of its members are experienced [illegible] I am presuming to hope that my dealing wit[illegible] weight with the Council.

Respectfully submitted
J. W. Pless.

Asheville, N. C.

The Refinance Corporation did a very commendable job of refinancing our [illegible]. In fact, they did better than they contracted to do, [illegible] their services [illegible] not high. We feel we will not weather the depression, but [illegible] their assistance in our financial structure some 18 months past.

Mr. Hair, with whom we had quite a bit of dealing, is very able, and [illegible] Mr. Manilow certainly is well versed in refinancing.

They reduced our mortgage indebtedness, extended the time [illegible] procured cancellations on land contracts were unable to carry and [illegible] accumulative stock, from 7% accumulative to [illegible] payment over [illegible].

We could not have continued without the financial [illegible] for us.

Very truly yours,
[illegible]
[illegible]

P. S. Our funded debt was reduced about 500,000 by the Refinance.

Mr. Hackney [illegible] and Penlin Avenue, that [illegible] in the corner, but suggested that it [illegible] street and a "stop" sign [illegible] Hiawassee Street, that [illegible] pavement in the center of [illegible].

Mr. Hackney [illegible] for reduction in street [illegible] the street was lowered [illegible] entrance to her garage, [illegible] to this property by [illegible] within the time limit [illegible] a recommendation for [illegible].

On motion, adjourned.

Mayor

City Clerk

Thursday, August 9, 1934- 4:30 P. M.

The City Council met in regular session, Mayor Wamboldt presiding. Present: Councilmen Wm. F. Lamberson, Platt Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey, Vickes Wamboldt and Jack Westall, City Manager, George L. Mackey and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were approved as read.

F. . . . Mc[illegible], president of the Central Labor Union, filed petitions signed by citizens and qualified voters, requesting that the City either pass ordinance [illegible] the minimum water rate from $1.00 to 50 cents and to make reductions in other [illegible] or to stop charging water rents, or submit the proposed ordinance to the qualified voters at the special election.

[illegible] by Councilman Miller, seconded by Councilman Little that the [illegible] be referred to the City Manager and the Corporation Counsel for report. Carried.

[illegible] Coxey, on behalf of the Veterans of Foreign Wars, made a request [illegible] be permitted in a carnival to be exhibited at the [illegible] to be held in Asheville in September.

[illegible] moved, seconded by Councilman Rainey, that the matter be referred to the City Manager with power to act. This motion carried.

The request of Mr. A. F. Bernard, on behalf of Mr. Edward Sayle, that privilege tax on the sale of kind cones and drinks be made by Mr. Sayle be remitted was on motion of Councilman [illegible], seconded by Councilman Rainey, unanimously ordered referred to the City Manager [illegible] to act.

[illegible] by Councilman Boyd, seconded by Councilman Crow, that the request of Mrs. Maxwell [illegible] to maintain in front of her property at the intersection of Broadway and Merrimon Avenue be removed, be referred to the City Manager.

The petition of Mr. Wade Williams, 11 Maxwell Street, that the city install a [illegible] on the grounds on Maxwell Street was on motion of Councilman Rainey, referred to the City Manager.

[illegible] the execution of an agreement between the City of Asheville [illegible] adjustment of the outstanding indebtedness of the City [illegible] be offered for consideration.

Councilman [illegible] moved, seconded by Councilman [illegible], that the Corporation Counsel be directed to [illegible] the drafting of an instrument to be designated as Rider "B" [illegible] Rider "C" be substituted and attached to the resolution and [illegible] meeting be held at 3 o'clock tomorrow afternoon. This motion on being put to the vote carried.

Vickes Wamboldt

Mayor

E. G. Thompson

City Clerk

[illegible] Rainey, [illegible]

The City Council met in [illegible] after proper notice from the Mayor Wamboldt presiding. Present: Councilmen [illegible], Chas. F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey, [illegible] City Manager, George L. Mackey and Corporation [illegible]

[illegible]

Councilman Rainey [illegible], the City Council [illegible] authorized to request the Board of Finance & Control [illegible] operating budget of $55,000 for the month of August. [illegible]

[illegible]

A resolution authorizing [illegible] of the City of [illegible] the City, the contract which provides for the [illegible] Asheville, was on motion of Councilman E. H. Miller, [illegible] unanimously adopted.

[illegible], the Federal Emergency Relief Administration Council a contract dated the 7th day of August, 1934, [illegible] of Raleigh, N. C., which contract provides for the [illegible] canning plant, the building for which is to be furnished [illegible] all materials for its construction, [illegible] of Asheville, and [illegible] and

WHEREAS, the City of Asheville is to do part of the [illegible] of said contract supposedly to be performed under [illegible] abattoir, namely, (a) provide suitable facilities for [illegible] (b) receive, weigh and yard cattle; (c) [illegible] and

WHEREAS, the said duties of City [illegible] to contract shall continue indefinitely, [illegible] shall fall below 100 per week, in which case the City [illegible] cancel said contract; and

WHEREAS, the said contract [illegible] work by the United States Government: and

WHEREAS, it is intended that Asheville [illegible] weekly for the establishment of this economy:

WHEREAS, the City Manager [illegible] a contract with a responsible [illegible] tions connected with the [illegible] known as "Rider A".

NOW, THEREFORE, BE IT [illegible]

That the Mayor of the City of Asheville [illegible] empowered to sign in the name of the City of Asheville [illegible] provisions as hereinbefore [illegible], copy of which is [illegible] "Rider A".

I move the adoption of the foregoing resolution [illegible] August, 1934.

E. H. Miller
COUNCILMAN

SECONDED BY:

Platt Boyd
COUNCILMAN

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Read, approved and adopted, this 10th day of August, 1934.

Vickes Wamboldt
MAYOR

E. J. Thompson
CITY CLERK

THIS AGREEMENT made this the 10th day of August, 1934, by and between the Federal Emergency Relief Administration, party of the first part, and the City of Asheville, party of the second part,

WITNESSETH,

That for and in consideration of the mutual covenants of the parties hereto, it is hereby agreed between the party of the first part and the party of the second part as follows:

1. For the purpose of enabling the party of the first part to establish and operate in the City of Asheville a Sanitary Plant, the party of the second part agrees to provide rent-free a building leased or owned by it, said building to be acceptable to the party of the first part. The party of the second part further agrees to install necessary toilet facilities, clean and paint with at least three coats of washable and suitable paint, the interior and exterior of the canning plant, and generally to make such other alterations and improvements to said building as may be necessary to adapt the same for the operation of a sanitary canning plant which will be acceptable to party of the first part. It is further understood and agreed that the party of the second part will furnish all materials used in connection with such alterations and improvements, and the party of the first part agrees to furnish all common labor for same.

2. The party of the second part agrees to defray the expense and cost of all electricity and water used in connection with the operation of the aforementioned canning plant.

3. The party of the second part agrees to provide suitable facilities at the Abattoir plant located in the City of Asheville for unloading and holding all cattle which may be shipped to the City of Asheville by the party of the first part; the party of the second part further agrees to receive, weigh, yard, and to slaughter at said Abattoir plant any number of such cattle, not to exceed thirty head daily, in order to keep the canning plant in full operating capacity, and to refrigerate cattle killed in said Abattoir for at least forty eight hours after killing and longer if needed, not to exceed seven days. The party of the second part further agrees to deliver the beeves to the canning plant in such rotation as may be desired by the party of the first part in such interval that said canning plant can be kept running continuously and uninterruptingly twenty-four hours per day. It is understood, however, that the party of the second part does not assume the expense or responsibility for feeding cattle while same are being held pending slaughter.

4. It is understood and agreed that the party of the second part shall make delivery of said beeves in such containers that would comply with the Federal Meat Inspector, Bureau of Animal Industry, U. S. D. A.

5. It is understood and agreed that the party of the second part as consideration for furnishing Abattoir services shall receive the fifth quarter of all animals slaughtered, provided, however, the party of the second part agrees that the party of the first part--throughout the terms of this agreement, shall have the option of buying any part or all of said fifty quarter at prevailing market prices, said market prices not to exceed the following: prime sides not to exceed 5¢ per pound; tongue not to exceed 15¢ each; hooves not to exceed 5¢ per set; heart not to exceed 10¢ each; livers not to exceed 45¢ each. It is further understood that the party of the first part will deliver to the party of the second part at the canning plant all bones.

6. It is specifically understood and agreed that the party of the first part shall have supervision and control of the operation of the canning plant above mentioned, that it is further understood that the party of the first part shall have the right to place a weighing clerk or clerks together with an inspector or inspectors at the City Abattoir plant.

7. The party of the second part further agrees that its obligations hereunder as to canning for each period to time as the canning plant produces such establishment is maintained and maintained; provided, however, that if the canning plant gives employment to less than a total of one hundred persons each week, then the party of the second part at its option, and after sixty days notice to the party of the first part of its intent so to do, may terminate this agreement and be relieved of further liability on account of any obligation herein assumed.

8. It is understood and agreed that the party of the second part will furnish health certificates for all employees in said canning plant and at said Abattoir plant.

9. It is specifically understood and agreed that all machinery, equipment, and fittings of every nature and kind purchased by the party of the first part and placed in the buildings above described shall remain the property and title to same shall vest in the party of the first part, and the party of the first part reserve the right at any time to replace or remove any or all of said machinery equipment.

IN WITNESS WHEREOF, the party of the first part has caused this instrument to be executed on its behalf by its North Carolina Administrator and the party of the second part has caused the same to be executed on its behalf by its Mayor and attested by its City Clerk, all as of the day and year first above written.

Witness:

Federal Emergency Relief Administration

By Mrs. Thomas O'Berry

City of Asheville
By Wilkes Wanboldt
Mayor

ATTEST:
E. G. Thompson
City Clerk

APPROVED AS TO FORM: C. E. Blackstock, CORPORATION COUNSEL

Mr. E. M. Guire, [illegible] for [illegible] claim for $[illegible], [illegible] for [illegible] unanimously ordered [illegible] and report.

To the City Manager, [illegible] Asheville.

Greetings:--

John A. Nordman of the city of St. Louis, Mo. [illegible] of bonds and coupons, [illegible] sold and issued for [illegible] and agent Eugene M. Guire, [illegible] coupons for audit and [illegible] day of August, 1934, [illegible]

STREET IMPROVEMENT BONDS

	Number and [illegible]	[illegible]	Interest
5 bonds	205-209	[illegible]	[illegible]

577 Coupons which are [illegible]

Number Coupons	Numbered Serially				
[illegible]	16 only	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	16 only	"	"	"	"
[illegible]	16 only	"	"	"	"
[illegible]	16 only	"	"	"	"
[illegible]	" "	"	"	"	"
7	16-22 inc.	[illegible]	"	"	"
7	" "	[illegible]	"	"	"
7	" "	[illegible]	"	"	"
7	" "	[illegible]	"	"	"
7	" "	[illegible]	"	"	"
6	13-22 inc.	[illegible]	"	"	"
5	" "	[illegible]	"	"	"
7	16-22 inc.	[illegible]	"	"	"
7	" "	[illegible]	"	"	"
7	" "	[illegible]	"	"	"
7	" "	[illegible]	"	"	"
7	" "

7	"	"	600	"	"	26.25	183
7	"	"	601	"	"	26.25	183
7	"	"	602	"	"	26.25	183
7	"	"	603	"	"	26.25	183
7	"	"	604	"	"	26.25	183
7	"	"	605	"	"	26.25	183
7	"	"	606	"	"	26.25	183
7	"	"	607	"	"	26.25	183
7	"	"	608	"	"	26.25	183
7	"	"	609	"	"	26.25	183
7	"	"	610	"	"	26.25	183
7	"	"	611	"	"	26.25	183
7	"	"	612	"	"	26.25	183
7	"	"	613	"	"	26.25	183
7	"	"	614	"	"	26.25	183
7	"	"	615	"	"	26.25	183
7	"	"	616	"	"	26.25	183
7	"	"	617	"	"	26.25	183
7	"	"	618	"	"	26.25	183
7	"	"	619	"	"	26.25	183
7	"	"	620	"	"	26.25	183

[illegible] Bond.

[illegible] tabulated [illegible] issued attached to [illegible] Building Bond.

[illegible]	17 to 19 inc.	285	4.1.25	10/1/[illegible]-4/1/[illegible]	26.75	142
[illegible]	" "	286	"	"	26.75	142
[illegible]	" "	287	"	"	26.75	142
[illegible]	" "	288	"	"	26.75	142
[illegible]	" "	289	"	"	26.75	142
[illegible]	" "	290	"	"	26.75	142
[illegible]	" "	291	"	"	26.75	142
[illegible]	" "	292	"	"	26.75	142
[illegible]	" "	293	"	"	26.75	142
[illegible]	" "	294	"	"	26.75	142

[illegible] Bond.

[illegible] coupons as tabulated which are and were when issued attached to [illegible] Bond.

4	18-21 inc.	122	4/1/25	10/1/[illegible]-4/1/[illegible]	26.75	95
4	" "	123	"	"	26.75	95
4	" "	124	"	"	26.75	95
4	" "	125	"	"	26.75	95

[illegible] Bond.

[illegible] coupons as tabulated which are and were when issued attached to [illegible] Bonds.

4	18-21 inc.	501	6/1/18	10/1/[illegible]-4/1/[illegible]	26.75	95
4	" "	502	"	"	26.75	95
4	" "	503	"	"	26.75	95
4	" "	504	"	"	26.75	95
4	" "	505	"	"	26.75	95

[illegible] Bond.

[illegible] coupons as tabulated which are and were when issued attached to [illegible] Bonds.

6	27 to [illegible]	[illegible]	6/1/18	7/1/[illegible]-7/1/[illegible]	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157
6	" "	[illegible]	"	"	26.25	157

SEWER BOND

5 coupons as tabulated which are and were when issued attached to Sewer Bond

5	22-26 inc.	38	6/1/21	6/1/32-6/1/34	30.00	15

CITY HALL BOND

5 coupons as tabulated which are or were when issued attached to City Hall Bond.

5	7-11 inc.	32	1/1/29	7/1/32-7/1/34	25.00	12

PUBLIC IMPROVEMENT BONDS

14 coupons as tabulated [illegible]

Number Coupon	Numbered Serially	[illegible]	[illegible]	[illegible]
7	16-29 inc	[illegible]	"	"
7	" "	[illegible]	"	"

[illegible] Bond.

5 coupons as tabulated [illegible]

5	7- 11 inc	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[illegible] Bond.

[illegible] tabulated [illegible]

[illegible]	1 to 6 inc	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]
6	" "	[illegible]	"	"	[illegible]	[illegible]

and interest from various [illegible]

✓ [illegible]

Councilmen C[illegible]. B. [illegible] presented, [illegible] Resolution authorizing the [illegible] Refinance Corporation for [illegible] of Asheville be adopted.

Councilman [illegible] to be attached to the [illegible]

Councilman Jo[illegible] resolution be amended by striking [illegible] and after" the words "to be [illegible] and" the words "to be determined by City", and [illegible] This motion carried.

Councilman Miller [illegible] "thereto attached" after "interest coupons" in [illegible]

It was moved by [illegible] Wamboldt, [illegible] be amended in option B, [illegible] the words "thereto attached" and "interest coupons". [illegible]

Mayor Wamboldt moved, [illegible] agreement be amended by striking out "[illegible] annum for the remaining 15 years" and inserting "2½ and 3% per annum for the remaining 10 years". [illegible]

It was moved by [illegible] the agreement be amended by [illegible] "The plan herein outlined [illegible]

A motion made by [illegible] agreement be amended by [illegible] and Refinance shall have [illegible]

On motion of Mayor Wamboldt, seconded by Councilman Miller, Article VI of the agreement was amended by inserting the word "description" between the words "the" and "characteristics" in line 8, and in line 9 by striking out the words "required by the acceptance of this plan by the holders of the City's obligations as aforesaid in accordance with the provisions hereof" and insert "to be determined by City".

Councilman [illegible] moved, [illegible] the agreement be amended by changing the period to a comma in line 12 [illegible] "amounts" and add "and no other kind [illegible] motion carried.

A motion of Councilman Baumberger, seconded by Councilman [illegible] VIII of the agreement be amended by adding at the end of the article "and providing further, that in all suits now pending or which may hereafter be instituted against the said city by holders of obligations of the said city or which the said city is assuming or have in the past levied taxes to pay, or suits instituted by the agents of such obligations, the said city reserves the right to, and shall be free to, employ such counsel and lawyers, as it deems best and fit to defend the said city in such suits and conduct such and all proceedings relating thereto as the said city and council may in any manner see fit, and that any saving or reduction in principal and/or interest to the said city growing out of said suits or actions shall not be used, compueted or included in determining the fees to be paid Refinance" carried unanimously.

A motion was made by Councilman Brockshire, seconded by Councilman Baumberge that action on the resolution authorizing the execution of an agreement between the Cit Asheville and Refinance Corporation, be deferred until the next regular meeting on bei to a vote did not carry.

The resolution authorizing the execution of an agreement between the City of Asheville and Refinance Corporation for the readjustment of the outstanding indebtedness of the City of Asheville as amended was voted on. Councilmen Crow, Little, Miller, Rainey and Wambolt voted "aye", Councilmen Baumberger, Boyd, Brookshire and Westall voted "no", the resolution was declared adopted.

[illegible] RESOLUTION Ratifying the EXECUTION of AN AGREEMENT between the CITY [illegible] and REFINANCE CORPORATION for the ADJUSTMENT of the [illegible] Asheville.

[illegible] the City of Asheville has been endeavoring [illegible] refunding of its outstanding indebtedness; and

[illegible] has been presented to the City Council an agreement to be [illegible] the City of Asheville, the Refinance Corporation of Chicago, [illegible] of said Refinance Corporation is to be appointed refunding [illegible] the City of Asheville for the purpose of endeavoring to effect adjustment [illegible] the City, all as more particularly set out in the said agreement [illegible]

[illegible] it is the opinion of the City Council that it is to the advantage [illegible] said agreement and it is desirable to authorize [illegible] agreement in behalf of the City; and

[illegible] the financial condition and economic [illegible] it is necessary that the indebtedness be readjusted without further [illegible] making it it necessary for the immediate preservation of the [illegible] property and/or of the City that said agreement be entered into and become [illegible]

[illegible] CITY COUNCIL [illegible]

[illegible] agreement between Refinance Corporation of Chicago, [illegible] copy of which is hereby attached and identified [illegible] be approved and the same is hereby approved and declared to be the valid and binding obligation and contract of the City of Asheville.

Section 2: That said agreement is hereby incorporated in this resolution [illegible] as though said agreement were set out in full, it being the intent that [illegible] shall have full force and effect as from and [illegible] of North Carolina.

Section 3: That the City Clerk of the City of Asheville be [illegible] agreement in behalf of the City in the [illegible] and is hereby directed to file a copy of said agreement to the Board [illegible] County and to the Local Government Commission of North Carolina.

Section 4: [illegible] in full force and effect from and [illegible]

Section 5: [illegible] portion of this resolution is held invalid [illegible]

Adopted this the [illegible] day of August, 1934.

Chas. F. Crow
COUNCILMAN

E. H. Miller
COUNCILMAN

Introduced in written form, read, and adopted by a vote of 5 ayes and 4 nays [illegible] the City Council, this 10th day of August, 1934.

Ayes: Councilmen Chas. F. Crow, Councilman Campbell, Councilman H. E. [illegible], Councilman R. L. Rainey, Councilman Vickes Wambolt.

Noes: Councilmen Baumberger, Councilman Scott Boyd, Councilman H. G. [illegible]

Approved this 10th day of August, 1934.

Vickes Wambolt
MAYOR

Attest:
E. G. Thompson
CITY CLERK.

Recorded and registered in a book kept in my office for that purpose this [illegible] day of August, 1934.

E. G. Thompson
CITY CLERK.

"A"

This AGREEMENT, made and entered into by and between [illegible] (hereinafter called the "Refinancer"), party of the first part, and [illegible] (hereinafter called the "City"), party of the second part.

WITNESSETH, that the City [illegible] payment of [illegible] service, in respect of which [illegible] have accrued and continue [illegible] have occasioned and threaten impairment [illegible] and position [illegible] the City if wholly unable [illegible] current payments of interest [illegible] thereof; and

WHEREAS, the City [illegible] bona fide intention to [illegible] be effected on a basis [illegible]

WHEREAS, Refinancer [illegible] making such plans of debt [illegible] tation and consummation [illegible] vice for compensation, payable [illegible] the plan contained and set forth [illegible] tion of such undertaking, will enter into an agreement [illegible] the substance hereof:

NOW, THEREFORE, in consideration [illegible] and agreements of the parties hereto, [illegible] as follows, to-wit:

I

Refinancer hereby undertakes [illegible] embraces the submission to [illegible] which it is liable thereafter [illegible]:

Option No. 1.

(a) The right to exchange [illegible] all unpaid interest coupons, [illegible] to 6% of the principal amount [illegible]

Option No. 2.

(b) The right to exchange [illegible] unpaid interest coupons, [illegible] of the City, in principal amount [illegible] surrendered, to mature [illegible] to mature, to bear interest [illegible] Messrs. Chapman & Cutler, [illegible] be satisfactory to City, but [illegible] the right reserved to the City [illegible] re-purchase of said bonds [illegible]

Option No. 3.

(c) The right to exchange under such [illegible] all unpaid interest coupons, [illegible] bonds of the City in an amount equivalent to [illegible] so surrendered, par for par, [illegible] optional prior to maturity, [illegible] 10 years after date, 2% per annum [illegible] 15 years, and 2½ per annum [illegible] Legality by said Messrs. Chapman and Cutler, [illegible] more than 4% per annum upon [illegible] to use such portion of such [illegible] said bonds upon the open market.

II

The City on its part [illegible] authorizes it as such agent [illegible] not exceeding the limitations [illegible] of such definite plan in [illegible] and in accordance with such [illegible] agent to undertake [illegible] of all classes of the obligations [illegible] liability on the part of [illegible]

III

The plan herein outlined [illegible] of relief acceptable to the City: and refinancer agrees to submit [illegible] to be issued by City under [illegible] to be approved by City, without [illegible] II hereof.

IV

If and when, but only if and when, this plan of debt readjustment is consummated satisfactorily to City, Refinance shall be paid to Refinance as compensation for its services and reimbursement for its expenses in the manner hereinafter provided, an amount equal to the sum of (a) 1% of the principal of such bonds and notes and the interest accrued and unpaid thereon to the date as of which such consummation is effected; and (b) 2% of the amount by which such indebtedness is reduced by reason of the readjustment of the City's indebtedness as a result of the efforts of Refinance under and by virtue of this agreement.

The amount of reduction in indebtedness, as aforesaid, shall be computed by deducting from an amount equal to the aggregate principal amount of such bonds and notes outstanding as of the date of this agreement, plus interest accrued and unpaid thereon to the date as of which the consummation of such plan is effected the sum of (a) 30% of the principal amount of bonds and notes permitted to be redeemed for cash pursuant to Option No. 1 above, and (b) the principal amount of new funding and refunding bonds issued pursuant to Option No. 2 above, and (c) 40% of the principal amount of new funding and refunding bonds issued pursuant to Option No. 3 above.

V

City, however, reserves the unconditional right to withdraw this agreement at its option, within its discretion, and at its election [illegible] after the expiration of 60 days and within 90 days from date of approval by the Local Government Commission of North Carolina, and without any liability or obligation to Refinance whatsoever, which finality shall be subject to any right to appeal from City's decision. If, however, notice of termination of this contract is given by City to Refinance by registered letter addressed to it at [illegible] C. before the expiration of said 90 days period to the office of Refinance at 231 West Monroe Street in the City of Chicago, Ill., this agreement shall be void from and after midnight of February 15, 1935, within which extension of time it shall be the duty of Refinance to procure the consent of 75% in principal amount of each class of the obligations of City, and such consents as aforesaid shall be procured by Refinance so as to enable City to file a petition in the United States Court for the Western District of North Carolina under the provisions of Section 80-a of Chapter 9 of the Federal Bankruptcy Act providing for municipal debt readjustments on or before February 15, 1935. Furthermore, Refinance shall not be entitled to its compensation set forth in paragraphs IV and under the conditions enumerated in paragraph IX unless Refinance shall have procured consents by the requisite amount of each class of the City's obligations within time for City to file its petition as aforesaid on or before February 15, 1935, and unless further said petition shall have been approved by the City of Asheville in manner, form and substance satisfactory to City and by the Judge of the United States Court for the Western District of North Carolina and by all appellate courts to which any dissatisfied creditor shall take an appeal.

In the construction of this agreement, and particularly the provisions of this section, time shall be considered as of the essence of the contract.

VI

Refinance on its part agrees to employ its facilities, cause its officers and representatives to conduct negotiations with the holders of the City's bonds, notes and other obligations for which City is liable, and generally use its best efforts for the purpose of consummating a plan of debt readjustment meeting the requirements hereinabove specified, and to pay all expenses and obligations which it may incur in connection therewith, including the compensation of Chapman and Cutler for legal services to the City. The City on its part agrees to authorize and issue at the time of the consummation of such plan as from time to time thereafter new funding and refunding bonds of the description, characteristics and in the amounts to be determined by City, and in addition thereto will authorize and issue obligations in principal amount equal to the amount due Refinance under the provisions of Paragraph IV hereof bearing interest at the rate of 8% per annum and maturing serially over a ten year period, in equal annual amounts, and no other kind of compensation shall be required of the City. Refinance agrees to accept such last mentioned obligations in full satisfaction and discharge of the amount payable to it under the provisions of paragraph IV hereof, and the City agrees that it will consent to the inclusion in such plan of such appropriate provisions, and will adopt such proceedings as may be advised and recommended by its counsel for the purpose of providing for the [illegible] and appropriate delivery of such obligations to Refinance, and Refinance agrees that the compensation shall be contingent upon the legal ability of City to issue and deliver the obligations as provided. The City further agrees to cause all proceedings reasonably required to be had and taken to provide proper authorization for the issuance of funding and refunding bonds [illegible] as aforesaid to be issued and taken, and in amounts equal to City's reduced indebtedness, and the funding and supply at the request of Refinance all such knowledge as may be possessed by City, Chapman & Cutler in connection with their examination into the legality of such funding and refunding bonds, and to do and perform all other acts and things as may be reasonably necessary, appropriate, or within the legal power of City for the purpose of bringing about the consummation of said plan; and particularly agrees to file in the Court having jurisdiction a petition under Section 80-a, Chapter 9, of the Federal Bankruptcy Act, for the purpose of effecting said plan of readjustment under the supervision of said Court.

It is understood and agreed that Refinance will make available to the City the services of Messrs. Chapman and Cutler in connection with such proceeding and that fees or charges of said firm in that connection will be paid by Refinance and not billed to the City.

VII

If the plan herein set forth shall at any time after the filing of a petition in the Federal Court as contemplated be by order of Court modified or amended in any respect, and the City shall consent to such modification or amendment, then no such modification or amendment shall in any wise effect or dimish the right of Refinance to receive compensation for its services upon consummation of this plan, modified or amended as aforesaid, upon the same basis as set out in paragraphs 4 and 5 hereof.

VIII

It is the intention of this agreement that, subject to the conditions hereinafter specified, Refinance shall have during the time set forth in paragraph V hereof the exclusive right and privilege of conducting negotiations on behalf of the City for readjustment of the funded debt, in accordance with the plan herein set forth, and the City agrees that, subject to compliance by Refinance with the terms and provisions hereof, it will during the time provided in this contract conduct no negotiations with the holders of its bonds, notes, [illegible] except through Refinance as its agent and with its consent; provided, however, that nothing herein contained shall be construed to prevent City from agreeing to any adjustment in connection with any suit which is now pending, or which may hereafter be instituted in any court, or from levying any amount of tax which may be ordered to be levied by any governing body, or preventing City from making individual adjustments which may occur in the course of usual business; and provided further, that in all suits now pending or hereafter be instituted against the said City by holders of obligations of the said City or which the said City has assumed or has in the past [illegible] guaranteed by the agents of such obligations, the said City reserves the right to, at their institution, free to, employ such counsel and lawyers as it deems best to represent it, and shall be in such suits and conduct such and all proceedings relating thereto as the said City Council may in any manner or fashion it may deem fit, and that any saving or recovery [illegible] interest to the said City growing out of said suit [illegible] or included in determining the fee or fees to be paid to Refinance.

IX

For all purposes of this agreement this plan shall be deemed to have been consummated at the time and under the conditions set forth in paragraph V hereof, and after Refinance shall have exchanged the new bonds, to be issued by the City, for the outstanding bonds as provided by Options Nos. 1 and 2, and shall have purchased in the outstanding bonds, and exchanged them for new bonds, as provided under the terms of Option No. 1.

X

In the event that Refinance on or before February 15, 1935 shall enter into any contract with the County of Buncombe, North Carolina, whereby it is refunding the indebtedness of said County, and said contract should contain any provisions relative to the City Council of the City of Asheville should consent to any such provisions, then if and are the provisions hereof to City, then City reserves the right, and Refinance agrees, upon demand to have incorporated in this agreement such similar provisions or provisions as may be contained in said contract with said County of Buncombe.

XI

Refinance agrees that in the prosecution of this plan it will only employ methods which are ethical and dignified and which are not in violation of any statute.

IN WITNESS WHEREOF, the City has caused this instrument to be signed in its corporate name, by its Mayor, attested by its City Clerk, and its corporate seal to be hereunto affixed, and Refinance has caused this instrument to be signed in its corporate name by its Vice President, he being thereunto duly authorized by the By-Laws of said corporation, all as of the date first above written.

THE CITY OF ASHEVILLE, NORTH CAROLINA

By_____
Mayor

ATTEST:

_____
City Clerk

REFINANCE CORPORATION

By_____
Vice President.

APPROVED AS TO FORM:

_____
Corporation Counsel.

On motion, adjourned.

Mayor

City Clerk

Thursday, August 16, 1934- 4:30 P. M.

The City Council met in regular session Mayor Wamboldt presiding. Present: Councilman John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, E. H. Miller, and Wickes Wamboldt, City Manager George L. Hackney and Corporation Counsel, C. E. Blackstock.

MINUTES CORRECTED

The minutes of the previous meeting were read and the following correction made:
"A motion was made by Councilman Brookshire, seconded by Councilman Baumberger, that action on the resolution authorizing the execution of an agreement between the City of Asheville and Refinance Corporation, be deferred until the next regular meeting, on being put to a vote did not carry.

[illegible]

A petition signed by fifteen operators on the West Asheville bus line requesting the City Manager limit the number of permits to be allowed to operate on this line to fifteen was presented.

Councilman Brookshire moved, seconded by Councilman Crow that the Carolina Power & Light Company be asked to make investigation immediately as to the extension of buses on the Haywood Road and McDowell Street line. This motion loss and Councilman Crow suggested that the City Manager might take the matter up with the Carolina Power & Light Company in regard to making a survey of the West Asheville and McDowell Street line. The City Manager stated he would be glad to do it.

[illegible]

The claim of the Electric Supply Company for damages to business and property caused by broken storm sewer on Commerce Street was presented and referred to the Corporation Counsel.

NORTH CAROLINA)
BUNCOMBE COUNTY)

ELECTRIC SUPPLY COMPANY)
Plaintiff)
vs)
CITY OF ASHEVILLE)
Defendant)

CLAIM FOR DAMAGES TO BUSINESS AND PROPERTY.

To the Honorable Mayor and Board of City Council:

The undersigned, Electric Supply Company, hereby files claim against the City of Asheville for damages to its business and stock of merchandise formerly located in the Trade Building on Commerce Street in the City of Asheville.

The facts supporting said claim are as follows:

I.

That on or about the 18th day of June, 1934, thestorm sewer, which was constructed across the lot upon which the Trade Building stands., was blown out and partially wrecking said building, and particularly the front thereof and the portion of said building then beingoccupied by the Electric Supply Company and in which said building said Electric Supply Company was carrying on and conducting its business, it being the engaged in the business of buying and selling all kinds of electric supplies and other merchandise.

II.

That from the 18th day of June, 1934, until the 30th day of July, 1934, while said sewer line and system and said building was being repaired, the business of this claim by reason thereof and by reason of the street being closed for said repairs, was greatly and materially interfered with and caused the said claimant great and irreparable loss and damage, to-wit in the sum of One Thousand, Five and 45/100 ($1,005.45) Dollars.

III.

That said loss and damage was occasioned, as aforesaid, by reason of the inability to serve the trade, loss of customers and profits from sales that could have been made, labor and moving stock, repairs to fixtures, furniture and replacements, cleaning, repairing and packing merchandise stock, moving telephone, excess electric light bills, signs and repairs occasioned by changing entrances and other materials and labor costs occasioned by the blowing out of said sewer. The total damage, as aforesaid, being the sum of One Thousand, Five and 45/100 ($1,005.45) Dollars.

ELECTRIC SUPPLY COMPANY,
By Wm Farr
Manager

NORTH CAROLINA
BUNCOMBE COUNTY

William Farr, being first duly sworn, deposes and says that he is manager of claimant Electric Supply Company; that he has read the foregoing claim and knows the contents thereof; that the same is true of his own knowledge, except as to matters therein stated upon information and belief, and as to those matters he believes it to be true, and in truth and in fact the claimant has been greatly damages by reason of the facts set forth in the aforesaid claim

Wm. Farr

Sworn and subscribed to before me
this the 16 day of August, 1934.
(SEAL) Hazel Messer Notary Public
My commission expires 9-14-35

[illegible]

Mr. Hackney read a letter from Mr. A. S. Barnard in regard to assisting Mr. Blackstock in several bond and note suits against the city now pending, stating the charge for his services will be reasonable: and if any dispute arises the matter of compensation shall be referred to the Board of Financial Control.

August 16, 1934

Hon. Clarence E. Blackstock
Corporation Counsel
Asheville, North Carolina

Dear Mr. Blackstock:

This is to confirm what I have stated to you with reference to my employment in behalf of the City of Asheville in the several bond and note suits against the City of Asheville now pending in the District Court of the United States for the Western District of North Carolina that if I am employed in behalf of the City in this litigation, the charge for my services will be reasonable; and if any disput shall arise between the City and myself as to the charges I shall make and we are unable to reach an agreement, the matter of my compensation shall be referred to the Board of Financial Control and the amount determined by that board.

Yours very truly
Alfred A. Barnard

B/H

Councilman Miller moved, seconded by Councilman Crow, that the Corporation Counsel be authorized to employ Mr. A. S. Barnard to assist him in the bond and note suits: the compensation to be as set out in Mr. Barnard's letter. This motion carried.

[illegible]

Mr. Hackney read an opinion from the Corporation Counsel in regard to petition for reduction of water rents presented by Mr. Moreland at the last meeting, and recommended that the petition be referred to the Municipal Board of Elections.

It was moved by Councilman Miller, seconded by Councilman Boyd, that the petition in regard to water rents be referred to the Municipal Board of Elections for certification as to the voters who signed. This motion carried unanimously.

On motion, adjourned.

[illegible]

City Clerk

Thursday, August 23, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

A. F. -FORGET-ME-NOT DAY

The request of the Disabled American Veterans of The World War that parking space for approximately eight cars be set aside in front of the Forget-me-not drive head quarters at 66 Patton Avenue, adjacent to Pritchard Park on Saturday, August 25th was on motion of Councilman Miller, seconded by Councilman Westall granted.

NUISANCE- PASTURING OF COWS

A petition from residents of Biltmore requesting the investigating of the stabling and pasturing of cows in the village was presented, and on motion of Councilman Boyd, seconded by Councilman Westall ordered referred to the City Manager and the Health Office for recommendation.

MUNICIPAL BOARD OF ELECTIONS
ORDINANCE PROVIDING FOR WATER RATES

A communication from Owen Gudger, Chairman, and a resolution passed by the Municipal Board of Elections for the City of Asheville in regard to petition on proposed ordinance providing for water rates and charges, certifying that the petition contained more than the required number of signatures of registered voters was read.

To the Honorable Mayor and City Council
of the City of Asheville, North Carolina:

Dear Sirs: In re: Petition on proposed ordinance providing for water rates and charges.

Pursuant to the power and authority vested in me as Chairman of the Municipal Board of Elections of the City of Asheville, under and by virtue of "An Act to Incorporate the City of Asheville, to Define its Corporate Limits, Provide for its Government, and other Purposes," duly ratified by the General Assemby of

North Carolina, on the 30th day of March, 1931, I hereby certify the result of
determination of said Board of Elections of an examination made of the petitions
filed with said Board by your Honorable Council with reference to "An Ordinance
Providing for Water Rates and Charges," as follows:

That the petitions proposing the aforementioned ordinance are signed
registered voters of the City as shown by the registration books for thenext
preceding election of municipal officers, equal and are in excess of 15% of 1/9 o
the total of all votes cast for members of the City Council at the next precedi
municipal election, and that the signatures, residences, addresses, verificatio
filings, authentications and certifications on said petitions are in compliance
with the provisions of Article 12 of the hereinbefore mentioned charter, and I
hereby file with you said petitions and a copy of a resolution of said Board of
Elections determining the result of its examination with the within certificate
attached to the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 2
day of August, 1934.

Owen Gudger (Seal) Chairman
Municipal Board of Elections for
City of Asheville, North Carolina

RESOLUTION OF THE MUNICIPAL BOARD OF ELECTIONS OF THE CITY OF ASHEVILLE, NORTH CAROLINA, ON PROPOSED ORDINANCE PROVIDING FOR WATER RATES AND CHARGES.

WHEREAS, the Mayor and City Council, through its City Manager, has
transmitted to the Municipal Board of Elections, fifteen petitions proposing an
ordinance providing for water rates and charges to be submitted to the qualifie
voters under theprovisions of Article 12 of the City Charter; and

WHEREAS, pursuant to the requirements of law the Municipal Board of
Elections officially examined said petitions and upon such examination finds th
facts and reports the same to the City Council:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL BOARD OF ELECTIONS OF THE CITY OF ASHEVILLE, NORTH CAROLINA:

-1- That it finds as a fact that the petitions proposing "An ordinance
for water rates and charges" are signed by registered voters of the City of
Asheville, as shown by the registration books for the next preceding election
for municipal officers therein, equal 15% of 1/9 of the total vote of all votes
case for members of the City Council at the next preceding election, viz:
1,414, and that the signatures, residences, addresses, verifications,
filings, and authentications comply with theprovisions of Article 12 of the Cit
Charter for the recall of officials;

-2- That the Chairman of the Board of Elections be and is hereby directe
to return to the City Council the petitions hereinbefore mentioned, and to atta
to the same his certificate showing result of the examination, as determined by
the Board of Elections by the provisions of this resolution.

I move the adoption of the foregoing resolution.
This the 22nd day of August, 1934.

Owen Gudger

The foregoing resolution was unanimously passed by the Municipal Board of Elections.

J. T. Sevier Jr
Secretary.

MAYOR WAMBOLDT

Mayor Wamboldt announces the question to be considered was the adoption of the ordinance providing for water rates and charges on its first reading.

Councilman Westall made a motion, which was seconded by Councilman Crow and carried, that at the conclusion of business today that the meeting recess until 11 o'clock, Saturday morning, and that action on the ordinance be deferred until that time.

COMMITTEE ON PLAYGROUNDS

Councilman Baumberger withdrew from the committee appointed to investigate the request of the American Business Club that playgrounds be established on vacant lots ov the city, and Councilman Miller was named on the committee with Mr. Hackney. Councilma Baumberger also withdrew his name as chairman of the Park Committee of the Cabinet.

RESOLUTION REQUESTION N. C. HIGHWAY COMMISSION TO BUILD BRIDGE ACROSS FRENCH BROAD RIVER

Resolution requesting North Carolina Highway Commission to build a bridge across French Broad River between Asheville and West Asheville was on motion of Councilman Litt seconded by Councilman Crow, adopted.

RESOLUTION REQUESTING NORTH CAROLINA HIGHWAY COMMISSION TO BUILD A BRIDGE ACROSS FRENCH BROAD RIVER BETWEEN ASHEVILLE AND WEST ASHEVILLE.

WHEREAS, the West Asheville Bridge is about a quarter of a century old, having been built for much less and lighter traffic than now passes over it; and

WHEREAS, said bridge is at the present time inadequate due to the congestion of traffic, and its construction is such that it probably cannot be widened.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVI LLE:

That the City Council of Asheville requests and petitions the North Carolina Highway Commission to construct a bridge across the French Broad River at a point on said river between Asheville and West Asheville where such bridge will best serve the people of Asheville, West Asheville, and the general public, taking into consideration the future growth of Asheville and Western North Carolina, which this Council believes to be necessary due to the opening in the near future of the Smoky Mountains National Park.

I move the adoption of the foregoing resolution, this 23rd day of August, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved, and adopted, this 23rd day of August, 1934.

MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

RESOLUTION AUTHORIZING MAYOR TO EXECUTE QUIT CLAIM DEED

A resolution authorizing the Mayor to execute quit-claim deed to former owner of property acquired by the City of Asheville by tax foreclosure suit (G. H. Jones, listed owner) was on motion of Councilman Boyd, seconded by Councilman Miller, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT CLAIM DEED TO FORMER OWNER OF PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on the 20th day of August, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the year 1928: and

WHEREAS, notice of said sale appeared once a week for four successive weeks in The Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	REMARKS
1909	G. H. Jones	259, 260, 261 and 263 to 273 inclusive	7	5	Bid in by owner

WHEREAS, it appears that the above property was bid in at the sale by the listed owner, who is desirous of obtaining deed from the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute quit-claim deed to the property listed above, said deed to be made as set out above to saidowner, who was the highest bidder at said sale, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent thereto as may be calculated by the proper tax officers, together with cost of advertising, which amount is set forth in the deed.

I move the adoption of the foregoing resolution.

SECONDED BY: Plott Boyd COUNCILMAN
Ernest H. Miller COUNCILMAN

Read, approved and adopted this the 23rd day of August, 1934.

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Wickes Wamboldt MAYOR
E. G. Thompson CITY CLERK

Recess until Saturday, 11 o'clock, A. M.

Mayor

City Clerk

Saturday, August 25, 1934- 11 o'clock A. M.

The City Council reconvened from recess meeting on Thursday, August 23rd., Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt, and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock.

PURPOSE OF MEETING

Mayor Wamboldt announced this a recess meeting to consider the water ordinance introduced at the meeting on August 23rd, which is before the Council for consideration on its first reading.

EAST HAYWOOD ROAD-- CITY PROPERTY

Councilman Little stated he understood Judge Kitchen was anxious to have the city's acceptance or rejection of his client's offer to purchase a small strip of land on East Haywood Road adjoining lots 117 and 118, and asked that the matter be considered. City Manager, George L. Hackney, stated that he and Mr. Boyd had looked into the matter, but that they could not agree on the value of the property to be sold. A motion was made by Councilman Brookshire, seconded by Councilman Little, voted on and carried, that the Chair appoint a third member to work with Mr. Hackney and Mr. Boyd. Mayor Wamboldt added Councilman Westall to the committee and the new committee was asked to make a report to the Council at the next meeting.

WATER ORDINANCE

The Chair ruled that the ordinance providing for water rates and charges was before the Council for passage on its first reading. The Clerk was instructed to read the petition, which is as follows:

To the Hon. Wickes Wambolt, Mayor, and the Council of the City of Asheville, N. Car.

PETITION

In accordance with Article XII, Section 83 of the City Charter, we, the undersigned citizens and qualified voters of the City of Asheville, N. C., respectfully hereby petition the City Council of the aforesaid City to either pass the ordinance submitted herewith, a copy of which is hereto attached, as provided by subsection (a) of the aforesaid section, or submit the proposed ordinance to the qualified voters at a special election to be called for that purpose as is provided by and in accordance with subsection (b) of the aforesaid section 83. The said proposed ordinance being an ordinance to reduce the minimum water rate from $1.00 to .50 cents and to make reductions in other brackets, and, also, to stop charging meter rents.

The ordinance was then read.

Mayor Wamboldt gave reasons why, in his opinion, the ordinance should not be passed, and Councilman Little stated the petition was not sufficient and has no place here as it should contain the grounds for the remedy requested, as required by Article XII, Section 85 of the Charter, and he presented an affidavit of Mrs. W. D. Mills and requested that said affidavit be embodied in the minutes.

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE)

A F F I D A V I T .

Mrs. W. D. Mills, first being duly sworn, says:

That she is a citizen, resident, taxpayer, and voter of the City of Asheville, North Carolina, and resides with her husband, W. D. Mills, at 222 South French Broad Avenue in the City of Asheville, North Carolina; that her husband, W. D. Mills, is the proprietor of a Cafe at the Southern Railway Depot in the City of Asheville; that some weeks ago City Councilman John E. Baumberger called at her husband's place of business and left with her husband one of the water petitions which have been signed and filed with the City Council, and at said time Councilman Baumberger asked affient's husband if he would have affiant carry around a copy of said petition and have it signed by voters in the City of Asheville for the purpose of "reducing the water rents to help the poor people"; that affiant carried said petition around and had it signed by 150 or 200 voters with the distinct belief and feeling on her part that the petition would have the effect only of reducing the water rents and would not increase ad valorem taxes or disrupt the affairs of the City Government or in any other way prove objectionable.

Affiant is now informed and believes that her husband was not properly informed about the effect of the petition and that in turn she was deceived and in soliciting signatures for said petition she misled and deceived the signers thereof; that she verily believes that the 150 or 200 petitioners who signed the petition at her request and solicitation were induced to do so under a false statement of facts and she further believes that none of said signatures could have been obtained had they been fully informed regarding the effect of said petition.

That affiant is exceedingly anxious insofar as she can to correct the injury she believes she has caused; that she would gladly carry around a counter petition to the ones who signed the original petition at her request and have then to state that they were deceived and misled but there is not time before the meetingof City Council today to do this, and hence this statement is given for the purpose of informing the City Council

and the public of the true facts and circumstances regarding the petitions now before the Council, which this affiant believes to be illegal and contrary to the wishes of the parties signing their names thereto and contrary to the best interests of all the people of Asheville; that affiant does not believe that the City should be put to the expense of an election on the water petition at this time and that Council should defer action thereon until a full and complete investigation is made of the way and manner in which signatures to said petition were obtained.

This August 25th, A. D., 1934

Mrs. W. D. Mills (SEAL)

Sworn to and subscribed before me
this August 25th, 1934.

Joseph L. Auten (Notary Seal)
Notary Public
My com. ex. March 16, 1935.

SUBSTITUTION MOTION- SUBMIT TO VOTE

A substitute motion to the pending motion to adopt the ordinance on its first reading, was made by Councilman Boyd, seconded by Councilman Brookshire, that the matter be submitted to a vote of the people. This substitute motion was voted on; voting "aye" Councilmen Baumberger, Boyd and Brookshire, voting "no", Councilmen Crow, Little, Miller, Wamboldt and Westall, the motion was declared lost.

ORDINANCE-

An ordinance providing for water rates and charges was then voted on its first reading. Voting "aye" Councilmen Baumberger, Boyd and Wamboldt, voting "no" Councilmen Brookshire, Crow, Little, Miller and Westall, the motion was declared lost.

RESOLUTION -ELECTION

Councilman Baumberger moved, seconded by Councilman Miller, that Resolution providing for calling a special election to be held in the City of Asheville for the purpose of voting upon a proposed ordinance providing for the reduction of water rents and the elimination of meter rent charges, be adopted.

The following vote was taken, "ayes", Councilmen Baumberger, Boyd and Brookshire, "noes" Councilmen Crow, Little, Miller, Wamboldt and Westall, and the motion was declared lost.

On motion, adjourned.

Wickes Wamboldt
Mayor.

Lois Thompson
City Clerk

Thursday, August 30, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager George L. Hackney and Corporation Counsel, C. E. Blackstock.

MINUTES

The minutes of the previous meeting were read and the following correction made Councilman Baumberger withdrew his name as chairman of the park and playground committee of the Cabinet.

BILTMORE-PASTURING OF COWS.

Mr. Hackney made a report of petition from citizens of Biltmore regarding stabling and pasturing of cows, that he had investigated the matter and found there were only from 250 to 300 cows in the entire city but they casued much complaint. He recommended that an ordinance should be adopted regulating the staking and pasturing of cows.

It was moved by Councilman Miller, seconded by Councilman Little that the report of the City Manager be accepted and a committee of three be appointed to prepare said ordinance and submit same to the Council. This motion carried, and Mayor Wamboldt appointed Councilmen Miller, Little and Brookshire, on this committee.

DEPARTMENT OF MOTOR TRANSPORT-ABOLISH

City Manager, Geo. L. Hackney, presented a report on plan to abolish the Department of Motor Transport, in which he recommended the passage of an ordinance abolishing said department.

Plan to Abolish the Department of Motor Transport

I want to call your attention to oneprovision of the charter, section 26, as follows:

"There shall be a Department of Law, a Department of Finance, a Department of Public Works, a Department of Public Welfare, a Department of Public Safety, a Department of Motor Transport, a Department of Civil Service, and such other departments as may be established by ordinance. The council may, by ordinance, change or abolish any department or office established by ordinance and/or the Department of Motor Transport, and may prescribe, distribute or discontinue the functions and duties of any department and/or office it may change or abolish. Additional functions and duties may be assigned by ordinance to departments and offices established by this charter but, except as above provided no function or duty assigned by this charter to a special department or office shall be discontinued or assigned to any other department or office of the City by ordinance. No department or office shall be established, changed, or discontinued until the recommendation of the City Manager thereon shall have been heard by the Council.

Evidently, the framers of this charter contemplated that during times of depression or times when considerable construction work was not being carried on in the city the Department of Motor Transport might be dispensed with as a department. As it stand now, the head of the Department of Motor Transport reports directly to me,and is under my direct supervision. On account of the fact that the Federal Government is expending considerable money in this community, a large part of which is under the administrative direction of the City Manager or his department heads, particularly notable among these new expenditures being the establishment of a new canning factory, I find it desirable and beneficial to the city government to concentrate administrative details, so far as possible, in the heads of as few departments as possible, thereby placing these departments directly under my supervision, and relieving me of as many details as possible. To this end, and in accordance with the city charter, I recommend the passage of the attached ordinance.

Geo. L. Hackney, City Manager

[illegible] DEPARTMENT OF MOTOR TRANSPORTATION- FIRST READING.

It was moved by Councilman Joseph W. Little, seconded by Councilman Ernest H. Miller that An Ordinance to abolish the Department of Motor Transportation and to place the functions and duties thereof under the Department of Public Works be passed on its first reading. Voting "aye" for the passage of the ordinance on its first reading; Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall, voting "no", Councilman Baumberger, the ordinance was declared passed on its first reading.

[illegible] TO EXECUTE QUIT CLAIM DEED

A resolution authorizing the Mayor to execute a quit-claim deed to Mrs. Hattie King was on motion of Councilman Plott Boyd, seconded by Councilman Ernest H. Miller, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUIT-CLAIM DEED TO MRS. HATTIE KING.

WHEREAS, Lots 105 and 106, Sheet 16, Ward 3 came into the possession of the City of Asheville by virtue of the foreclosure of same for the 1928 taxes; and

WHEREAS, said property was listed in the name of C. G. King in the year 1928; and

WHEREAS, Mrs. Hattie King, wife of C. G. King, requested this property to be re-advertised, and this was done on July 9, 1934, and same was bid in by Mrs. Hattie King, C. G. King having first been notified by registered mail, and having signed a receipt and returned same to the city authorities:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor is hereby authorized and directed to sign a quit-claim deed for the above mentioned lots to Mrs. Hattie King, upon the payment of the 1928 taxes and all subsequent taxes which would have accrued had title not been in the City.

I move the adoption of the foregoing resolution, this 30th day of August, 1934.

Plott Boyd COUNCILMAN

SECONDED BY: Ernest H. Miller COUNCILMAN

Read, approved, and a opted, this 30th day of August, 1934.

Wickes Wamboldt MAYOR

APPROVED AS TO FORM:

E. G. Thompson CITY CLERK

C. E. Blackstock
CORPORATION COUNSEL

On motion, adjourned.

Mayor

E G Thompson
City Clerk

Thursday, September 6, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Assistant Corporation Counsel, Philip C.Cocke Jr. The minutes of the previous meeting were read and approved.

ORDINANCE TO ABOLISH DEPT. MOTOR TRANSPORT-SECOND READING

Ordinance #212, entitled An Ordinance to abolish the department of motor transportation and to place the functions and duties thereof under the department of public works, was placed on its second reading. Voting "aye" Councilmen Plott Boyd, H. G. Brookshire, Chas. F. Crow, E. H. Miller, Wickes Wamboldt and Jack Westall, voting "no" Councilman Baumberger, the ordinance was declared passed on its second reading.

COMMITTEE TO DRAFT ORDINANCE REGULATING STAKING OF COWS.

Councilman Miller reported that due to the absence from the city of the Corporation Counsel the committee appointed to draft and present to the council an ordinance regulating the staking and pasturing of cows in the city would make a report at the next meeting.

RESOLUTION AUTHORIZING MAYOR TO EXECUTE QUIT CLAIM DEED TO MARTHA LATTIMORE

A resolution authorizing the Mayor to execute a quit-claim deed to Martha Lattimore was presented and on motion of Councilman Baumberger, seconded by Councilman Miller amended by adding after"all subsequent taxes" in the fifth paragraph the words "which would have accrued had the title not been in the City. The resolution as amended was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUIT-CLAIM DEED TO MARTHA LATTIMORE.

WHEREAS, it comes to the attention of the City Council of the City of Asheville that Martha Lattimore is applying to the Home Owners Loan Corporation for a loan to finance her property; and

WHEREAS, this property has been sold for taxes for 1926, 1927 and 1928 under certificates 3800, 5547, and 208, respectively, being listed in the name of Chas. Reynolds for the reason that Chas. Reynolds owned a strip of property in the vicinity as shown by map and sold this property to several individuals, and the strip hereinafter described was never taken off the tax records in the name of Chas. Reynolds: and

WHEREAS, the maps showing this property are very numerous and show several different pieces of property; and

WHEREAS, this title must be cleared in order for Martha Lattimore to secure her loan, and the taxes on all of said property will be paid at the time the loan is secured.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor is hereby authorized to execute a quit-claim deed to Martha Lattimore for the following described strip of land upon the payment of the 1926 taxes and all subsequent taxes which would have accrued had the title not been in the city:

BEGINNING at a stake in the western margin of Pine Street at the common corner of Lots 15 and 16 of theplat hereinafter referred to, and runs thence with said margin of Pine Street North 2 deg. 30' E. 16 feet to a stake: thence north 86 deg. 51' West 185.5 feet to a stake in the eastern margin of an alley; thence with said margin of said alley south 1 deg. 24' west 12 feet to a stake at the common corner of lots 15 and 16 above referred to; and runs thence with the common line of said lots 15 and 16, 185 feet, more or less, to the BEGINNING, and being the southern half of Lot 15 of a plat recorded in the office of the Register of Deeds of Buncombe County, N. C. in plat book 106 at page 1.

I move the adoption of the foregoing resolution, this 6th day of September, 1934.

Plott Boyd
COUNCILMAN

SECONDED BY: E. H. Miller
COUNCILMAN

Read, approved and a opted this 6th day of September, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

Philip C. Cocke Jr.
ASST. CORPORATION COUNSEL

RESOLUTION AUTHORIZING MAYOR TO EXECUTE QUIT CLAIM DEED TO GRAVES INVESTMENT COMPANY

On motion of Councilman Plott Boyd, seconded by Councilman E. H. Miller, Resolution authorizing the Mayor to execute a quit-claim deed to Graves Investment Company was adopted. All councilmen present voting for the adoption of the resolution except Councilman Baumberger who stated that as the $50.00 did not pay all of the 1927 taxes he was opposed to it on account of its being discriminatory legislation.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUIT-CLAIM DEED TO GRAVES INVESTMENT COMPANY.

WHEREAS, Lot 153, Sheet 6, Ward 5 came into the possession of the City of Asheville by virtue of the foreclosure of same for the 1927 taxes; and

WHEREAS, the property was re-advertised and sold on July 23, 1934 at the Court-house door and bid in in the name of the Graves Investment Company in the amount of $50.00; and

WHEREAS, Mrs. C. M. Hampton was the owner of said property before same was bid in by the Graves Investment Company; and

WHEREAS, the 1927 taxes are in the amount of $176.56; and

WHEREAS, $50.00 is all that is available to pay on the 1927 taxes; but all subsequent taxes will be paid.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That upon the payment of $50.00 for the 1927 taxes and the payment of all subsequent taxes which would have accrued had the title not been in the city, the Mayor is hereby authorized and empowered to execute a quit-claim deed for the above mentioned lot, said deed being made to the Graves Investment Company, which bid the property in in its name July 23, 1934.

I move the adoption of the foregoing resolution, this 6th day of September, 1934.

Plott Boyd
COUNCILMAN

SECONDED BY: E. H. Miller
COUNCILMAN

Read, approved and adopted, this 6th day of September, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke Jr.
ASST CORPORATION COUNSEL

RESOLUTION APPOINTING A BOXING COMMISSION

A resolution appointing a boxing commission for the City of Asheville was read and in accordance with the ruling of the council that resolutions shall have been presented to each member of the council at least 24 hours previous to being considered, the resolution will be considered at the next meeting.

[illegible] BUDGET [illegible]

City Manager George L. Hackney asked that the Council authorize him to request the Board of Financial Control to approve a temporary operating budget of $55,000 for the month of September.

A motion made by Councilman Miller, seconded by Councilman Westall that the City Manager be authorized to request the Board of Financial Control for $55,000 for the temporary operating budget for September, carried unanimously.

[illegible]

Councilman Westall moved, seconded by Councilman Miller, that this meeting recess until Saturday morning at 11 o'clock,

Wickes Wamboldt

Mayor

E. G. Thompson
City Clerk

Saturday, September 8, 1934--11 o'clock A. M.

The City Council reconvened, Mayor Wamboldt presiding. Present: Councilmen Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney.

A motion made by Councilman Westall, seconded by Councilman Miller, that the Council recess until 8 o'clock, tonight, carried unanimously.

Mayor Wickes Wamboldt

E. G. Thompson
City Clerk

Saturday, September 8, 1934- 8 o'clock, P. M.

The City Council met after recess, Mayor Wamboldt presiding. Present: Councilmen Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock.

BONDHOLDERS PROTECTIVE COMMITTEE
NOTEHOLDERS PROTECTIVE COMMITTEE [illegible]

A telegram filed by Mr. Steffens on September 5, 1934 was read as follows:

"New York, N. Y. Sep. 4, 1934
Henry Steffens
The Manor Asheville N. Car.

You are hereby instructed to protest to the City Council Asheville against proposed appropriation of three hundred ninety thousand dollars for debt service and advise that unless rights bondholders and noteholders are respected we will be obliged to take steps to protect the interests of our depositors.

Bondholders Protective Committee by Henry W. George, Chairman
Noteholders Protective Committee by Nolan Harrigan, Chairman

It was moved by Councilman Miller, seconded by Councilman Little, that the telegram be written in the minutes. This motion carried unanimously.

RESOLUTION ADOPTING BUDGET

Councilman Little presented a resolution adopting budget for the City of Asheville for the fiscal year 1934-1935, which was prepared by Corporation Counsel, C. E. Blackstock, Attorney Alfred S. Barnard and Councilman Joseph W. Little.

BUDGET

City Manager George L. Hackney presented the budget for the fiscal year 1934-1935 as follows:

Total appropriation Operating & Maintenance	$784.542.88
Less estimated revenues other than advalorem taxes	154.401.00
Advolarem necessary to balance budget	$630,141.88

Councilman Miller moved, seconded by Councilman Westall, that the City Council adopt the operating budget presented by Mr. Hackney. A vote was taken as follows: Voting "aye" Councilmen Brookshire, Crow, Little, Miller, Wamboldt and Westall, voting "no" Councilman Boyd, the motion carried.

RESOLUTION

Councilman Little moved, seconded by Councilman Crow that the resolution adopting budget for the City of Asheville for the fiscal year 1934-35 be adopted. Voting "aye" Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall, the resolution was declared unanimously adopted.

RESOLUTION ADOPTING BUDGET FOR THE CITY OF ASHEVILLE FOR THE FISCAL YEAR 1934-35.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE, that the revenues arising from water rents during the fiscal period June 30, 1934 to June 30, 1935 be first used to defray the charges and expenses properly belonging to the operation, maintenance and extension of the water department, and that any net revenues arising from said source be at the end of the current fiscal year set aside for the purpose of applying the same as the Council may direct to the payment of interest and principal on outstanding valid indebtedness when it shall have been determined to whom such payments shall be made.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby instructed to transmit the attached budget, which is hereby adopted, together with a copy of this resolution to the Board of Financial Control of Buncombe County.

I move the adoption of the foregoing resolution.

Joseph W. Little
COUNCILMAN

Seconded by:

Chas. F. Crow
COUNCILMAN

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

On motion adjourned.

Mayor Wickes Wamboldt

City Clerk E G Thompson

Thursday, September 13, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, and City Manager, George L. Hackney. The minutes of the previous meeting were read and approved.

MAY

A petition from Margaret Orr Jarrett was presented, in which she requested that benefits charged against her property at 279 Haywood Street for the widening and extension of Clingman Avenue and sewer assessments charged against her property on Louisiana Avenue for the Smith Mill Creek trunk line and the Pinellas Avenue sewer line be cancelled.

This matter was ordered referred to the Corporation Counsel for investigation and recommendation.

Mr. Harry W. Love made a request that the city reconsider the lease of the Carolina Tobacco Corporation and that annual rent of $100.00 be reduced to a nominal amount.

It was moved by Councilman Little, seconded by Councilman Miller, voted on and carried, that a committee be appointed to make an investigation and recommendation to the Council. Mayor Wamboldt appointed Councilmen Little, Baumberger and Westall to serve on this committee.

Dr. C. E. Grove on behalf of the residents of West End complained that no busses were being operated down Patton Avenue beyond Clingman Avenue and asked for relief.

Councilman Little moved, seconded by Councilman Westall, that the matter be referred to the City Manager for immediate investigation. This motion carried.

ORDINANCE TO REGULATE LIVESTOCK

Councilman Ernest H. Miller moved, seconded by Councilman Joseph W. Little, that An ordinance to egulate livestock within the city limits of the City of Asheville, be adopted. A voted was taken on the adoption of the ordinance on its first reading, voting "aye" Councilmen Brookshire, Crow, Little and Miller, voting "no" Councilmen Baumberger, Wamboldt and Westall, the motion was declared lost.

RESOLUTION APPOINTING BOXING [illegible]

A Resolution appointing a boxing commission for the City of Asheville was on motion of Councilman Chas. F. Crow, seconded by Councilman E. H. Miller adopted. Voting "aye" Councilmen Brookshire, Crow, Little, Miller, Wamboldt and Westall, Councilman Baumberger voting "present".

RESOLUTION APPOINTING A BOXING COMMISSION FOR THE CITY OF ASHEVILLE.

WHEREAS, Chapter 156 of the Private Laws of 1929 passed by the General Assembly of North Carolina and ratified on the 12th day of March, 1929, establishes a Boxing Commission for the City of Asheville; and

WHEREAS, under Section 1 three citizens of the City of Asheville are named as that commission for a period of two years; and

WHEREAS, Section 1 also provides that at the expiration of the two years period the governing body of the City of Asheville shall name the successors of those men named in the bill; and

WHEREAS, from time to time there have been resignations and the governing body of the City of Asheville has appointed successors to those men resigned: and

WHEREAS, the term of office of the present Boxing Commission has expired.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That Laurence J. Quigley, J. J. Talman Jr., and P. M. Bealer are hereby appointed the Boxing Commission for the City of Asheville.

I move the adoption of the foregoing resolution this 13th day of September, 1934.

Chas. F. Crow
COUNCILMAN

SECONDED BY:

E. H. Miller
COUNCILMAN

Read, approved and adopted this 13th day of September, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke Jr.
CORPORATION COUNSEL

TRAFFIC ORDINANCE

Councilman Miller introduced the Traffic Ordinance for consideration at the next meeting.

ORDINANCE #212- ADOPTION

Ordinance #212- entitled An ordinance to abolish the Department of Motor Transportation and to place the functions and duties thereof under the Department of Public Works was voted on its third reading. Voting "aye" Councilmen Brookshire, Crow, Little, Miller, [redacted] Wamboldt and Westall, voting "no" Councilman Baumberger, the ordinance was declared adopted on its third and final reading to become effective according to statute.

ORDINANCE #212

AN ORDINANCE TO ABOLISH THE DEPARTMENT OF MOTOR TRANSPORTATION AND TO PLACE THE FUNCTIONS AND DUTIES THEREOF UNDER THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the City Manager recommends the abolishment of the Department of Motor Transport, and the transfer of the duties thereof to the Department of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That from and after the effective date of this ordinance, the Department of Motor Transport is and shall be abolished and the duties and functions of said department shall be placed under the direction and supervision of the Director of the Department of Public Works.

I move the adoption of the foregoing ordinance, this the 30th day of August, 1934.

SECONDED BY: Joseph W. Little COUNCILMAN
Ernest H. Miller COUNCILMAN

Read, approved and adopted, this the 13th day of September, 1934, to become effective fifteen days after date of final reading.

Wickes Wamboldt MAYOR
E. G. Thompson CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

On motion, adjourned.

Mayor _____ City Clerk

Thursday, September 20, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

[illegible] REPORT

Councilman Boyd, Chairman of the Utilities Committee, reported he had attended the hearing before the State Utilities Commission on the reduction of telephone rates, that the application is state wide and a decision will probably be rendered within thirty days.

[illegible] RELATING TO REDUCTION ELECTRIC LIGHTS & POWER

Councilman Plott Boyd moved, seconded by Councilman Ernest H. Miller, that Resolution relating to eduction of cost of electric lights and power to Asheville consumers be adopted.

The following amendments offered by Councilman Baumberger were unanimously adopted:

Change word "too" in line 3 to "excessively"
Change word "an" in line 1 of section (a) to "prompt".

The resolution as amended was voted on an unanimously adopted.

RESOLUTION RELATING TO REDUCTION OF COST OF ELECTRIC LIGHTS AND POWER TO ASHEVILLE CONSUMERS.

WHEREAS, it is the opinion of the City Council of the City of Asheville that the rates of electricity for electric lighting purposes and for power purposes to the consumers of Asheville are excessively high, and should be reduced.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the committee heretofore appointed as a utilities committee in conjunction with the City Manager and Corporation Counsel be authorized and empowered:

(a) To make prompt investigation of the rates now being charged by the Carolina Power and Light Company for electric current in the City of Asheville, and, if they deem proper and wise, to request the Utilities Commission of the State of North Carolina to issue an order to said Power Company to show cause why its rates should not be reduced, and/or

(b) To negotiate with the Tennessee Valley Authority relative to the possibility of having Asheville included in the zone of benefits of the reduced electric rates being provided by the T. V. A.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized to expend from the contingency appropriation, as soon as taxes can be collected during the present fiscal year, the amount of $1,000.00 to defray the expenses provided for by this resolution.

I move the adoption of the foregoing resolution this 20th day of September, 1934.

SECONDED BY: Plott Boyd COUNCILMAN
Ernest H. Miller COUNCILMAN

Read, approved and adopted, this the 20th day of September, 1934.

Wickes Wamboldt MAYOR
E. G. Thompson CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

On motion of Councilman Baumberger, seconded by Councilman Crow, this meeting recessed until Saturday morning, 10:30 .

Mayor _____ City Clerk

Saturday, September 22, 1934- 10:30 A. M.

The City Council reconvened: Mayor Wamboldt presiding. Present: Councilman John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock.

QUIT CLAIM DEEDS

Councilman Miller stated that it was working a hardship on property owners who acquired their property which had been foreclosed for delinquent taxes, to have to pay all taxes for subsequent years and the taxes for the year under which property was sold, and suggested that quit claim deeds be given when the taxes are paid for the year for which they are sold and when they are properly listed for taxes for subsequent years.

It was moved by Councilman Miller, seconded by Councilman Little that the matter be referred to the Corporation Counsel and a committee to draft a resolution. This motion carried, and Mayor Wamboldt appoin ed Councilmen Miller, Baumberger and Little on this committee.

RESOLUTION TO PETITION T. V. A.

It was moved by Councilman John E. Baumberger, seconded by Councilman Ernest H. Miller that a resolution to petition the Tennessee Valley Authority to construct a flood control and power dam on the French Broad River be adopted. A vote was taken to suspend the rules and consider the resolution today, This motion did not carry.

RESOLUTION ADOPTING BUDGET FOR [illegible]

On motion of Councilman Chas. F. Crow, seconded by Councilman Jack Westall, Resolution adopting the budget for the City of Asheville for the fiscal year beginning July 1, 1934 and ending June 30, 1935, was unanimously adopted. Councilmen Baumberger and Miller explaining they voted "aye" altho. they did not think the budget is high enough.

RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JULY 1, 1934 AND ENDING JUNE 30, 1935.

WHEREAS, the City Manager of the City of Asheville presented to the City Council on the 8th day of September, 1934 the operating budget for the fiscal year beginning July 1, 1934 and ending June 30, 1935, and the budget as presented showed the amount to be expended for the operation of the various departments of the City of Asheville as follows:

(a)	General Government	$202,424.20
(b)	Law	26,485.00
(c)	Finance	25,552.74
(d)	Public Welfare (Health)	40,883.90
(e)	Public Safety	376,042.29
(f)	Libraries	27,855.00
(g)	Civil Service	100.00
(h)	Public Works	229,819.75
	Total	$784,542.88

and

WHEREAS, the aforesaid budget was adopted by the City Council on the 8th day of September, 1934 and sent to the Board of Financial Control of Buncombe County: and

WHEREAS, the Board of Financial Control of Buncombe adopted a resolution dated September 19, 1934 amending the budget so as to make the total, including appropriations for advertising purposes, $792,842.88, which was to include an additional amount for the Board of Financial Control of $7,826.00, thereby approving a grand total for the city operating budget, including advertising and the additional appropriation for the Board of Financial Control, of $792,842.88; and

WHEREAS, the Board of Financial Control of Buncombe County authorized the expenditure of a special fund in addition to the foregoing, which special fund is derived from the Carolina Power and Light Company, for use in making street repairs being in the sum of $41,000.00, and approved also the action of the City Council as indicated by its resolution in the application of the net revenues to be derived from the water supply.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the budget heretofore adopted by the City Council, as aforesaid, be hereby approved, except that the action of the Board of Financial Control of Buncombe County be adopted in all respects, including the amendments to the budget of the City of Asheville for the fiscal year from July 1, 1934 to June 30, 1935, inclusive, thereby reducing the total appropriation of the City of Asheville for said fiscal year to the sum of $792,842.88, which includes an additional sum of $7,826.00 for the use of the Board of Financial Control for said fiscal year: and said reductions and eliminations so as to conform to the maximum fixed by the Board of Financial Control to be as follows:

Advertising fund reduced from $50,000 to $25,000; tie line between city reservoirs of $8,500.00 eliminated; Board of Health bulletin $1,200.00 eliminated; Sondley Library $3,000.00 eliminated; Rhododendron Park improvements $1,712.00 eliminated; F.E.R.A. North Fork water shed improvements $3,690.00 eliminated; discounts for taxes for current year reduced $1,000.00; insurance reduced $2,000.00; automobiles for Public Welfare Department reduced $1,800.00; automobiles for Department of Works $700.00 eliminated; trucks for Public Works Department reduced $750.00; asphalt reduced $1,799.00; motor grader $3,500.00 eliminated; repairs to City Hall reduced $1,300.00; feeding animals at zoo reduced $250.00; fund for rebuilding grand-stand at stadium reduced $1,300.00; engineering supplies reduced $100.00; chemicals calcium chloride for use on streets $500.00 eliminated; playground equipment for recreation park reduced $125.00; playground equipment for Montford Park reduced $100.00; F.E.R.A. continuance program reduced $1,000.00

This makes a total reduction from the budget as first submitted of $59,326.00, or a reduction of the grand total to $725,216.88, adding to this sum the sum of $7,626.00 additional appropriations to the Board of Financial Control for the fiscal year, making grand total which is hereby appropriated for the fiscal year beginning July 1, 1934 to June 30, 1935 of $732,842.88.

BE IT FURTHER RESOLVED that on the basis of the aforesaid appropriations for the aforesaid fiscal year of $732,842.88 the tax rate for the City of Asheville for said fiscal year of July 1, 1934 to June 30, 1935, inclusive, be and the same is hereby fixed and determined at $1.17 upon each $100.00 of listed and taxable property within the City of Asheville.

BE IT FURTHER RESOLVED that the appropriation for advertising be and the same is hereby included in the general appropriation set forth in the preceding paragraphs; and that in all other respects the amended budget submitted by the Board of Financial Control by its resolution of September 19, 1934 be and the same is hereby accepted, and that the reductions and eliminations as hereinbefore set forth be applied by the City Accountant to the departments affected so as to alter the department totals set forth in the first paragraph of this resolution so as to conform with the reductions and eliminations provided for by this resolution and so as to conform with the grand total fixed by the Board of Financial Control by its resolution of September 19, 1934, said grand total of appropriation for the fiscal year beginning July 1, 1934 and ending June 30, 1935 being $732,842.88, including the appropriation for advertising.

I move the adoption of the foregoing resolution this 22nd day of September, 1934.

Chas. F. Crow
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this 22nd day of September, 1934

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

A motion offered by Councilman Miller, seconded by Councilman Boyd, that the meeting recess until Monday, September 24th at 12 o'clock noon, carried unanimously.

Wickes Wamboldt
Mayor

E G Thompson
City Clerk

Monday, September 24, 1934- 12 o'clock Noon.

The City Council reconvened; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney

BOARD OF FINANCIAL CONTROL
APPROVING BUDGET

A resolution adopted by the Board of Financial Control approving the permanent operating budget of the City of Asheville for the fiscal year 1934-35 was read.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

RESOLUTION APPROVING THE PERMANENT
OPERATING BUDGET OF THE CITY OF ASHEVILLE
FOR THE FISCAL YEAR 1934-35.

RESOLVED THAT, the Board of Financial Control at a special meeting held in the Council Chamber of the Court House at 11:00 A. M., September 22nd, 1934, upon receipt of the amended budget of the City of Asheville, pass the budget as submitted in the amount of SEVEN HUNDRED AND THIRTY-TWO THOUSAND, EIGHT HUNDRED FORTY-TWO DOLLARS AND EIGHTY-EIGHT CENTS($732,842.88);

BE IT FURTHER RESOLVED, that the City of Asheville be advised that the assessed valuation of the City, due to no change in the corporate excess is placed at FIFTY MILLION, EIGHT HUNDRED THOUSAND DOLLARS, ($50,800,000.00), and a rate of ONE DOLLAR AND FOURTEEN CENTS ($1.14) being insufficient to raise the amount, the Board of Financial Control suggested a rate of ONE DOLLARS AND FIFTEEN CENTS ($1.15), to take care of any possible changes in domestic corporations, which report has not yet been received from the State Board of Assessment.

Copy
Files,
City Council

Approved as to form:
W. Z. Penland, Secy.

RESOLUTION ADOPTING BUDGET

Resolution correcting clerical error in calculation in the Resolution adopted by the City Council of the City of Asheville on September 22, 1934 entitled "Resolution Adopting the Budget for the City of Asheville for the Fiscal Year Beginning July 1, 1934 and Ending June 30, 1935 was on motion of Councilman Ernest H. Miller, seconded by Councilman Jack Westall unanimously adopted. Voting "Aye" Councilmen Baumberger, Boyd, Brookshire, Little, Miller Wamboldt and Westall.

RESOLUTION CORRECTING CLERICAL ERROR IN CALCULATION IN THE RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE ON SEPTEMBER 22, 1934 ENTITLED "RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JULY 1, 1934 AND ENDING JUNE 30, 1934".

WHEREAS, in the resolution adopted by the City Council of the City of Asheville on September 22, 1934 the tax rate for the fiscal year beginning July 1, 1934 and ending June 30, 1935 was fixed at a rate of $1.17 on the $100.00 valuation of property; and

WHEREAS, it has since been ascertained that the valuation of taxable property which the corporate limits of the City of Asheville, including corporate excess, is in a sufficient amount so as to produce taxes in the amount of $732,842.88 by a tax rate of $1.15 per $100.00 of valuation.

ASHEVILLE: NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

That the said resolution adopting the budget of the City of Asheville passed on September 22, 1934 be amended by making the rate of levy $1.15 per $100.00 valuation, instead of $1.17 per $100.00 valuation.

I move the adoption of the foregoing resolution, this 24th day of September, 1934

Ernest H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this 24th day of September, 1934.

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

E. G. Thompson
CITY CLERK

Ordinance #213- entitled An ordinance adopting and appropriating the operating budget of the City of Asheville for the fiscal year 1934-1935 was on motion of Councilman Jack Westall, seconded by Councilman John E. Baumberger, offered for adoption.

Councilman Boyd moved, seconded by Councilman Miller, that the rules be suspended and the ordinance placed on its first reading. This motion carried unanimously and the ordinance was voted on its first reading. Councilmen Baumberger, Boyd, Brookshire, Little, Miller, Wamboldt and Westall voting "aye" the adopted was declared adopted on its first reading.

A motion of Councilman Miller, seconded by Councilman Westall, that the rules be suspended and the ordinance placed on its second and third readings. This motion carried unanimously.

A roll call was taken on the second reading, all members voting "aye", the ordinance was declared adopted on its second reading.

The ordinance was then voted on its third and final reading. All members of the Council voting "aye", it was declared adopted to become effective on the 9th day of October, 1934.

ORDINANCE NO 213.

AN ORDINANCE ADOPTING AND APPROPRIATING THE OPERATING BUDGET OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR 1934-1935

WHEREAS, on the 22nd day of September, 1934 the City of Asheville adopted an operating budget in the amount of $732,842.88, which budget was approved by the Board of Financial Control of Buncombe County on the same date, as evidenced by a resolution of said Board.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That the following operating budget is hereby adopted and the amount indicated herein appropriated for the operation of the different departments of the City of Asheville for the fiscal year beginning July 1, 1934 and ending June 30, 1935, inclusive:

(a)	General Government	$168,860.20
(b)	Law	26,465.00
(c)	Finance	25,552.74
(d)	Public Welfare	37,686.90
(e)	Public Safety	236,046.29
(f)	Libraries	20,655.00
(g)	Civil Service	100.00
(h)	Public Works	217,476.75
		$732,842.88

Section 2. That a tax of $1.15 per $100.00 valuation upon all property of every nature within the corporate limits of the City of Asheville be and the same is hereby levied, and ordered to be collected in accordance with law for the fiscal year 1934-35, as aforesaid.

Section 3. That the Director of Finance of the City of Asheville is hereby authorized to make the expenditures for the operation of the departments of the City of Asheville in accordance with the budget adopted and approved as aforesaid.

I move the adoption of the foregoing ordinance, this 24th day of September, 1934.

Jack Westall
COUNCILMAN

SECONDED BY: John E. Baumberger
COUNCILMAN

The foregoing ordinance passed its first reading and thereupon the rules were suspended by an affirmative vote of seven members of the City Council and the ordinance was immediately placed upon its second and third readings, and having been passed by a majority of the council upon each of said readings, to become effective on the 9th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

On motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, September [illegible], 1934 [illegible] P. M.

The meeting of the City Council was called to order by the Clerk. Councilman Baumberger, the only member of the Council present, announced that there was not a quorum present, he adjourned the meeting

Mayor

City Clerk

Friday, September [illegible], 1934 4:30 P. M.

A special meeting of the City Council was called to order by Mayor Wamboldt. Present: Councilmen Plott Boyd, H. G. Brookshire, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, and City Manager George L. Heakney.

Mayor Wamboldt explained the meeting was called by Councilmen Joseph W. Little, H. G. Brookshire and E. H. Miller for the purpose of consideration of an ordinance regulating livestock within the corporate limits and a resolution with reference to the Rhododendron Club house and grounds in West Asheville.

ORDINANCE NO. Fixed [illegible]

It was moved by Councilman Ernest H. Miller, seconded by Councilman Joseph W. Little, that An ordinance to regulate livestock within the City Limits of the City of Asheville be adopted.

The ordinance was placed on its first reading, the following Councilmen voting "aye" Councilmen Boyd, Brookshire, Little, Miller, Wamboldt and Westall, the ordinance was declared passed on its first reading.

RESOLUTION RE CLUB HOUSE [illegible]

Councilman Miller offered a resolution in regard to the management and care of the Rhododendron Club House at West Asheville for consideration at the next meeting.

On motion adjourned.

Wickes Wamboldt
Mayor

City Clerk

Thursday, [illegible], 1934 [illegible] P. M.

The City Council met in [illegible] Councilmen John E. Baumberger, [illegible] May[illegible], Miller, H. T. Rainey, [illegible], City Manager [illegible] and Corporation Counsel [illegible], the minutes of the [illegible] meeting read and approved.

RESOLUTION REGARDING [illegible]

Councilman Baumberger [illegible] of the Charter in regard to [illegible] the Clerk had not been notified [illegible] requested that the Mayor [illegible]

Mayor Wamboldt [illegible] void and all action taken [illegible]

COMMUNICATION OF CHAMBER [illegible]

A communication from [illegible] thanking the Council for [illegible] read.

ORDINANCE RE MOTOR BUS [illegible]

Attorney Eugene [illegible] explain by Milton Hood[illegible] Mr. Coleman [illegible] Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

NOTICE OF INJURY AND CLAIM FOR DAMAGES FOR PERSONAL INJURIES.

To
The Honorable Mayor,
The City Manager, and
The Governing Body of the City of
Asheville, North Carolina.

Milton Herold, of the City of Asheville, Buncombe County, North Carolina, hereby files this notice of injury and claim for damages against the City of Asheville, North Carolina, for personal injuries sustained, and alleged hereby as follows:

1.

That the residence of the claimant is 87 Annandale Avenue, Asheville, North Carolina.

2.

That the date on which said injuries occured was approximately 2:30 o'clock, Monday, July 9, 1934.

3.

That the place of the happening and infliction of said injuries and damages is in the Northern part of the City of Asheville, on the sidewalk extending along the Eastern margin of Merrimon Avenue at a point on said sidewalk where the Northern margin of Spears Avenue intersects said sidewalk and the Eastern margin of Merrimon Avenue.

4.

That said injuries and damages occured in the following manner and under the following circumstances, to-wit:

That said claimant was proceeding in a Westerly direction along the Northern margin of Spears Avenue and had reached a point where said Northern margin of Spears Avenue intersects with the Eastern margin of Merrimon Avenue and intersects the sidewalk extending alongside and parallel with the Eastern margin of Merrimon Avenue, and was in the act of stepping out of Spears Avenue on to said sidewalk, and did step on to said sidewalk and into a blind hold more than one foot deep, which had been left in said sidewalk directly behind the curbing, which said curbing had been reset by the City of Asheville, its contractors, agents and servants, in the process of widening said Merrimon Avenue, and which said blind hole had been negligently, carelessly, and unlawfully left there by said City of Asheville, its contractors, agents, representatives and servants; that by virtue of the negligence of the City of Asheville in negligently and carelessly leaving or causing to be left, said hole as hereinbefore described which said claimant stepped into, said claimant was thrown or caused to be thrown and fell into said hole and on to the concrete sidewalk which had been negligently left in a ragged and jagged condition, and on to the part of the curb extending along the Eastern margin of Merrimon Avenue thereby breaking claimant's left arm, injuring his lungs and otherwise lacerating and brusing his body.

That the City of Asheville was negligent in thatit failed and refused to discharge its duties as created by law, in that it failed to provide the and more particularly this claimant, with a safe and suitable place to walk, failed to keep its sidewalks, and more particularly the sidewalk upon which claimant was injured, in a reasonably safe condition for pedestrians, and more particularly this claimant; and further in that it failed to post notices and warnings that said sidewalk and street was being repaired; and further in that it permitted pedestriabs, and more particularly this claimant, to pass upon travel the Eastern sidewalk extending alongside Merrimon Avenue, without notifying this claimant and other persons of the danger thereon, or that said sidewalk was being repaired and was in a dangerous condition; and that the City of Asheville was further negligent in that it caused or permitted a blind hole to be dug and left directly behind the curbing on the Northern margin of Spears Avenue at a point where it intersects with the Eastern sidewalk of Merrimon Avenue; and was further negligent in that it caused or permitted the concrete covering said sidewalk to be left in ajagged, ragged and rough condition, extending up to said hole; and was further negligent in that it left or caused to be left, constructed or caused to be constructed, said concrete and said sidewalk in wuch a negligent and careless manner that said blind hole could not be seen or discovered by the public and pedestrians, and more particularly by this claimant, in passing along and over said sidewalk, in time to prevent stepping into same.

That the said City of Asheville was further negligent in that it not peoperly supervise the constructinn of its said sidewalks and streets; and more particularly the sidewalk and street where the claimant fell and was injured and that said sidewalk and curb were improperly and dangerously constructed and left in a dangerous andunsafe condition, and that said dangerous condition was known by the City of Asheville, or by the exercise of reasonable and ordinary care could and should have known of said dangerous condition of said sidewalk and street, where the claimant was injured.

5.

That due to the wrongful and negligent acts of commission and omission of the City of Asheville, its contractors, agents and servants, in maintaining and permitting to exist an unsafe condition in the streets and sidewalks, and more particularly the street and sidewalk where plaintiff fell, which said condition was unknown to this claimant, claimant was thrown upon said sidewalk and pavement, breaking his left arm; or causing an oblique break in said arm, with loose fragments around said break; forcing said claimant to go to a hospital to have his arm set; and said claimant was forced to carry said arm in a cast, of airplane type for a number of weeks, and is still compelled to carry his arm in a sling, and is unable to use said arm, and he is advised, informed and believes, will never be able to properly use said arm; and he has suffered great pain and agony and still suffers great pain and agony, and his arm is severly and permanently injured and he will never be able to properly use said arm; and in addition thereto he was injured in his chest, and around his lungs, and since said injury has been spitting up blood and coughing; and caused by reason of said injuries to his lungs and chest to suffer excruciating pain and is still suffering from said injuries, and as he has advised, informed and believes, will continue to suffer from said injuries, and is permanently injured and totally incapacitated by reason of said injuries; and has been caused great inconvenience and caused to suffer and has been forced to expend large sums of money for hospital bills, doctors' bills, drug bills and other purposes, by reason of said injuries hereinbefore complained of.

6.

That the claimant has been damaged by virtue of said injuries, loss of time and physical suffering, and permanent injuries in the sum of Twenty Thousand ($20,000.00) Dollars.

7.

That claimant demands immediate payment of the City of Asheville the sum of Twenty Thousand ($20,000.00) Dollars.

Respectfully submitted

Milton Herold
Claimant

This the 4th day of
October, A. D., 1934

Eugene Taylor
Attorney for Claimant

The foregoing Notice of Injury and Claim for Damages for personal injuries was duly served on the City of Asheville, by filing the same with the City Council in open meeting at its regular Session on the 4th day of October, 1934, and by leaving a copy thereof with the City Manager.

This the 4th. day of October, 1934.

ASHEVILLE BOXING COMMISSION REPORT ACCEPTED.

Attorney J. Y. Jordan, Jr., Chairman Asheville Boxing Commission, submitted a report of the activities of the Asheville Boxing Commission for the period from March 12, 1931 to September 29, 1934, together with an audit prepared by T. Bowen Henderson, C. P. A., which showed a surplus of $169.84 to be transferred to the present Boxing Commission.

KIFFIN ROCK BILL FOR DRUM AND BUGLE CORPS.

The request of Kiffin Rockwell post of American Legion that the unexpended balance of the advertising fund to send the drum and bugle corps to the national convention later in the month was presented by Mayor Wambolit, who stated the plan has the support of the Chamber of Commerce, the Welcome to Asheville, Inc., and a majority of the city's advertising committee.

Councilman Miller made a motion, which was seconded by Councilman Westall, that the donation be made from the advertising fund to send this drum and bugle corps to Miami. Voting "aye" Councilmen Miller, Westall, Rainey, Brookshire, Crow and Boyd, voting "nay" Councilmen Wambolit and Baumberger, the motion carried.

ORDINANCE NO. - ACTION DEFERRED.

A motion of Councilman Miller, seconded by Councilman Boyd, that action on the ordinance to regulate livestock within the city limits of the City of Asheville be deferred until next meeting carried.

ORDINANCE READ FIRST TIME.

Councilman H. C. Brookshire moved, seconded by Councilman Crow, that An Ordinance relating to attendance of children in schools from homes where there are contagious diseases be adopted.

An amendment offered by Councilman Baumberger, seconded by Councilman Brookshire, that the penalty be $5.00 instead of $10.00 carried.

The ordinance was then voted on its first reading, voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Miller, Rainey, Wambolit and Westall, the ordinance was declared passed on its first reading.

An ordinance providing for disinfecting premises following certain contagious diseases by the occupants was offered for adoption by Councilman H. G. Brookshire, seconded by Councilman Chas. F. Crow.

A vote was taken on its first reading as follows: voting "aye" Councilmen Boyd, Brookshire, Crow, Miller, Rainey and Westall, voting "no" Councilman Baumberger, "not voting" Mayor Wamboldt, the ordinance was declared passed on its first reading.

On motion of Mayor Wickes Wamboldt, seconded by Councilman Jack Westall, the following resolution instructing the Corporation Counsel to request the judge of Superior Court to make an order transferring the City of Asheville from position of defendant to the position of co-plaintiff in the case of E. B. Atkinson vs. City of Asheville, et als, was adopted, Councilmen Baumberger, Boyd, Rainey, Wamboldt and Westall voting "aye", Councilmen Brookshire, Crow and Miller voting "no".

RESOLUTION INSTRUCTING THE CORPORATION COUNSEL TO REQUEST THE JUDGE OF SUPERIOR COURT TO MAKE AN ORDER TRANSFERRING THE CITY OF ASHEVILLE FROM POSITION OF DEFENDANT TO THE POSITION OF CO-PLAINTIFF IN THE CASE OF E. B. ATKINSON VS. CITY OF ASHEVILLE ET ALS.

WHEREAS, the case entitled E. B. Atkinson, suing on behalf of himself and of the taxpayers of the City of Asheville, North Carolina, who shall come in and make themselves parties plaintiff and contribute to the expenses of this action, vs. the City of Asheville, a municipal corporation, The French Broad Cemetery Company, a corporation of North Carolina, John H. Cathey, Frank L. Condor, E. C. Greene, Chester Brown, J. Dalton Haynes, Plato Ebbs, Don S. Ellis, Bernard Ellis, Robert Lewis, Robert Moody, William Ray Griffin, W. A. Griffin, Van Griffin, Gallatin Roberts, C. H. Bartlett and L. B. Rogers, was instituted approximately seven years ago by Mr. Atkinson as a private citizen and taxpayer of the City of Asheville, upon the refusal of the then city government to take action; and

WHEREAS, the case involves the purchase of certain cemetery land situated on the banks of the French Broad River by the City of Asheville from the French Broad Cemetery Company; and

WHEREAS, the purpose of the suit is to cancel the deed of conveyance from the French Broad Cemetery Company to the City of Asheville, and to recover a judgment against the French Broad Cemetery Company, its directors, officers and stockholders, in the sum of approximately $126,000.00, which amount is to be paid to the City of Asheville; and

WHEREAS, the City of Asheville is sought to be beneficiary in said suit; and

WHEREAS, the original attorney, Mr. Marcus Erwin, has been appointed United States District Attorney and withdrawn as attorney for the plaintiff, Mr. E. B. Atkinson; and

WHEREAS, Mr. Alfred Barnard, who had been employed by certain citizens in the community, has withdrawn as attorney assisting the plaintiff, having withdrawn at the allegation of the private citizens who had employed him, thereby leaving the plaintiff without any attorney; and

WHEREAS, the previous city administration instructed its Corporation Counsel to cooperate with the plaintiff's attorney and prosecute the case; and

WHEREAS, the present City Corporation Counsel voluntarily appeared with the plaintiff's attorney at the January Term of Superior Court, 1934 and assisted the plaintiff's attorney in the prosecution of the case; and

WHEREAS, the plaintiff offered its evidence in the Superior Court in the fall of 1933, at the conclusion of which the Superior Court judge, Judge J. H. Clement, nonsuited the plaintiff, which nonsuit was overruled by the Supreme Court of North Carolina in the following significant language:

"There is allegation to the effect, and the evidence permits the inference though it may not compel the conclusion, that the sale in question was without adequate warrant of law; that the price paid was grossly excessive; that at least two the the city officials, to the knowledge of the other defendants, were financially interested in the transaction; and that the interests of the city of Asheville were not properly cared for by those of the defendants charged with such duty.

"This evidence, it would seem, is sufficient to carry the case to the jury under the principles announced in Brown vs. R. R., 188 N. C., 52, State vs. Williams, 153 N. C., 595, and differentiates it from Harrison v. New Bern, 193 N. C., 555, cited and relied upon by defendants.

"We refrain from a discussion of the evidence, as its credibility is for the jury."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the Corporation Counsel of the City of Asheville be instructed to request the judge of Superior Court to make an order constituting the City of Asheville as a party plaintiff instead of party defendant.

2. That after the signing of such order the Corporation Counsel make application as follows:

(a) That the case be continued until the May mixed term of Superior Court, 1935, and

(b) That the judge order that a jury be summoned from some adjoining county, except Madison, with which to try the case, preferably Haywood, Buncombe or McDowell County--it being the opinion of this Council that it is necessary to have a jury from another county in order to insure a fair trial.

I move the adoption of the foregoing resolution, this 4th day of October, 1934.

Wickes Wamboldt
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this 4th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL.

RESOLUTION AUTHORIZING LEASING OF CERTAIN AUDITORIUM CHAIRS.

On motion of Councilman Brookshire, seconded by Councilman Rainey, the following resolution authorizing the leasing of certain auditorium chairs was unanimously adopted; the lease to be signed as soon as a bond satisfactory to the Corporation Counsel is furnished.

RESOLUTION AUTHORIZING THE LEASING OF CERTAIN AUDITORIUM CHAIRS.

WHEREAS, the City Council of the City of Asheville finds that it now has auditorium chairs in the auditorium on Haywood Street in the City of Asheville which are not being devoted to public use, and which may not be necessary to the public use for some several months, and

WHEREAS, the City Council has an opportunity to lease the auditorium chairs at a reasonable rental and to secure the same against damage by a solvent bond:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor and City Clerk are hereby authorized and empowered to sign a lease agreement to Wilbur K. Morgan for the leasing of four hundred auditorium chairs for a period of not more than one year, subject to termination by the City of Asheville at any time, and at a rental of Ten ($10.00) Dollars per month, payable in advance, with the provision that the said auditorium chairs shall be removed in a workmanlike manner upon demand of the City of Asheville and at the expense of the lessee, and that the lessee shall be responsible for the return of the chairs in as good condition as when removed.

BE IT FURTHER RESOLVED that said lease shall be signed upon condition that the said Wilbur K. Morgan shall execute a solvent bond in the sum of at least Two Thousand ($2,000.00) Dollars, guaranteeing the performance of his lease agreement.

I move the adoption of the foregoing resolution, this 4th day of October, 1934.

H. G. Brookshire
COUNCILMAN

SECONDED BY: H. W. Rainey
COUNCILMAN

Read, approved and adopted, this 4th day of October, 1934.

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:

E. G. Thompson
CITY CLERK

C. E. Blackstock
CORPORATION COUNSEL

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE.

LEASE

The CITY OF ASHEVILLE, a municipal corporation of the State of North Carolina, hereinafter designated as the lessor, hereby leases and demises to WILBUR K. MORGAN of the City of Asheville, Buncombe County, North Carolina, hereinafter designated as the lessee certain personal property fully described by the attached Exhibit A upon the following conditions:

(1) That the said leased personal property consists of auditorium chairs now situated in the auditorium belonging to the City of Asheville on Haywood Street in the City of Asheville, which auditorium chairs are capable of identification by numbers, as indicated on the attached paper designated as Exhibit A, which is made a part hereof.

(2) That the lessee is to pay to the lessor Ten ($10.00) Dollars per month for the use of the said personal property, the first payment to be made on the 10th day of October, 1934, and every thirty days thereafter during the term of this lease.

(3) That the lessee agrees to permit the lessor to use the building in which the leased chairs shall be placed, namely the former Woman's Club House or other building for any kind of public meeting which may be designated by the City Council or City Manager, such use to be without charge to the lessor.

(4) That this lease shall not extend for a term of more than one year, and the right, privilege and power is reserved to the lessor to terminate the lease upon demand at any time, and upon five days written notice.

(5) That the lessee is to remove the said auditorium chairs from the auditorium of the City of Asheville to the place of use by the lessee, and to return the auditorium chairs upon demand by the lessor, said removal and return to be at the expense of the lessee.

(6) That the lessee agrees and binds himself to return the auditorium chairs to the lessor and at such place as may be designated by the lessor in the City of Asheville, said chairs to be returned in as good condition as when removed from the auditorium belonging to the lessor.

(7) The lessee agrees to keep said personal property herein listed insured in some fire insurance company to be approved by the lessor in an amount of at least $1,500.00 throughout the term of this lease.

This lease agreement is executed in duplicate.

IN WITNESS WHEREOF, the City of Asheville has caused these presents to be signed in its name by its Mayor, and attested by its secretary, all by authority of the City Council duly given, and Wilbur K. Morgan, the lessee, has signed these presents; all as of the 10th day of October, 1934.

CITY OF ASHEVILLE

By Wickes Wamboldt

ATTEST:
E. G. Thompson
City Clerk

Witness:

Wilbur K. Morgan (SEAL

APPROVED AS TO FORM:

CORPORATION COUNSEL

On motion, adjourned.

Wickes Wamboldt

Mayor

E G Thompson

City Clerk

Thursday, October 11, 1934, 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Pl[illegible] Boyd, H. G. Brookshire, C[illegible] P. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager George L. Mackey and Corporation Counsel, C. D. Blackstock. The minutes of the previous meeting were read and approved.

MR. L. C. [illegible]

A communication from [illegible] Lee, attorneys for Mrs. W. S. Cherrill, requesting relief from assessments against her property for the opening and widening of Sunset Street was read and ordered referred to the Corporation Counsel.

ORDINANCE [illegible]

An ordinance relating to attendance of children in schools from houses where there are contagious diseases was presented on its second reading.

Councilmen Baumberger, Boyd, Brookshire, Crow, Miller, Rainey, Wamboldt and Westall voted "Aye", Councilman Little voted "Present", the ordinance was declared passed on its second reading.

ORDINANCE DISINFECTING [illegible]

An ordinance providing for disinfecting premises following certain contagious diseases by the occupants was presented on its second reading.

Councilman Miller moved, seconded by Councilman Westall, that action on this ordinance be postponed until next week. Motion carried.

RESOLUTION TO PETITION T. V. A. [illegible]
FOOD CONTROL AND POWER DAM [illegible]

Councilman John E. Baumberger moved, seconded by Councilman Ernest H. Miller, that a resolution to petition the Tennessee Valley Authority to construct a flood control and power dam on the French Broad River be adopted.

A motion made by Councilman Brookshire, seconded by Councilman Miller, that a committee be appointed to work with Councilmen Baumberger and [illegible] to prepare the resolution presented unanimously, and Mayor Wamboldt appointed Councilmen Baumberger, Brookshire and Little on this committee.

RESOLUTION [illegible]

A motion of Councilman [illegible], seconded by Councilman Westall that action on An Ordinance to regulate livestock within the City Limits of the City of Asheville be postponed indefinitely carried unanimously.

RESOLUTION RELATING TO MANAGEMENT [illegible]

Councilman Ernest H. Miller moved, seconded by Councilmen H. W. Rainey, that Resolution relating to management and care of Rhododendron Club House be adopted.

A substitute motion made by Councilman Brookshire, seconded by Councilman Crow, that the management of the Rhododendron Club House be left in the hand of the City Manager, on being put to a vote did not carry.

A vote was then taken on the original resolution, voting "Aye", Councilmen Little, Crow, Rainey, Westall, Baumberger, Boyd and Miller, the resolution was declared adopted.

RESOLUTION RELATING TO MANAGEMENT AND CARE OF RHODODENDRON CLUB HOUSE.

WHEREAS, on July 5, 1934 a committee of this Council reported on investigation of the management and care of the Rhododendron Club House at West Asheville and made certain recommendations; and

WHEREAS, no action has been taken in the premises since the filing of said report.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager be and he is hereby authorized to appoint a House Committee to consist of one member from each of the civic organizations of West Asheville, such appointed member shall be the president of each organization represented.

That said House Committee be authorized to work out suitable rules and regulations with the City Manager for the use of the club house.

BE IT FURTHER RESOLVED, that no lease of the club house be given.

I move the adoption of the foregoing resolution, this the 11th day of October, 1934.

Ernest H. Miller
COUNCILMAN

SECONDED BY:

H. W. Rainey
COUNCILMAN

Read, approved and adopted, this the 11th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke Jr.
ASST. CORPORATION COUNSEL

The claims of G. P. Nicholson and Chas. D. Seay that the paving assessments charged against their property on Mildred Avenue be stricken out were presented and ordered referred to the Corporation Counsel.

To the Honorable Mayor and City Council
of the City of Asheville, North Carolina:

The undersigned respectfully showeth to your Honorable Body that he is the owner holding title and in rightful possession of that certain tract or lot of land situate, lying and being on Mildred Avenue in the City of Asheville, North Carolina, known and designated as lots #4 and #4-A, and the Southern one-half of lots #5 and #5-A, as shown on a plat of the J. H. Nicholson land, which plat is recorded in the office of the Register of Deeds for Buncombe County, North Carolina, in plat book 17, on age 47, and also described and shown as lots 168½, 169½, 170, and 171, sheet 10, ward 6 of the Tax Assessor's Records for the County of Buncombe, and particularly the City of Asheville, and that the City of Asheville has erroneously, irregularly, and without warrant of law, endeavored and attempted to levy or assess the hereinbefore mentioned lots of land with a street paving assessment, said street paving assessment being aginst the land and premises hereinabove mentioned, along with costs in other adjoining property, said assessment being lodged against lot 16, sheet 10, ward 6, for Mildred Avenue pavement in the original amount of One-thousand Four-hundred Ninety-two and Sicty-two One-hundredths ($1,492.62) Dollars, which attempted assessment still remains upon the assessment records of the City of Asheville with accrued interest thereon, which purported assessments affects adverse[ly] the estate of the undersigned owner in fee, which is reasonably calculated to burden and embarrass the undersigned owner in the full and proper enjoyment of his proprietary rights, including the right to dispose of the same at its fair market value:

WHEREFORE, the undersigned hereby demands in writing, pursuant to the requirements of Section 90 of Chapter 121 of the Private Laws of North Carolina, Session 1931, and particularly Section 243 of Chapter 16 of the Private Laws of 1933, that said erroneous and illegal assessment be declared by your Honorable Body null and void and canceled of record; and this is further to notify you that upon your declining to settle this demand as presented, or after ten days after such presentation, neglect to enter or cause to be entered, upon the minutes of the Council, your determination in regard thereto, that the undersigned will institute necessary proceedings in a court of proper jurisdiction to have the said assessment declared null and void and canceled as herein demanded.

Respectfully submitted,
G. P. Nicholson

To the Honorable Mayor and City Council
of the City of Asheville, North Carolina:

The undersigned respectfully showeth to your Honorable Body that he is the owner holding title and in rightful possession of that certain tract or lot of land situated lying and being on Mildred Avenue in the City of Asheville, North Carolina, known and designated as lots 3 and 3-A, as shown on a plat of the J. H. Nicholson land, which plat is recorded in theoffice of the Register of Deeds for Buncombe County, North Carolina, in plat book 17, on page 47, and also described and shown as lots 172 and 173, sheet 10, ward 6 of the Tax Assessor's Records for the County of Buncombe, and particularly the City of Asheville, and that the City of Asheville has erroneously, irregularly, and without warrant of law, endeavored and attempted to levy or assess the hereinabove mentioned lots of land with a street paving assessment, said street paving assessment being against the land and premises hereinabove mentioned, along with costs in other adjoining property, said assessment being lodged against lot 16, sheet 10, ward 6, for Mildred Avenue pavement in the original amount of One-thousand Four-hundred Ninety-two and Sixty-two One-hundredths ($1,492.62) Dollars, which attempted assessment still remains upon the assessment records of the City of Asheville with accrued interest thereon, which purported assessments affects adversely the estate of the undersigned owner in fee which is reasonably calculated to burden and embarrass the undersigned owner in the full and proper enjoyment of his proprietary rights, including the right to dispose of the same at its fair market value:

WHEREFORE, the undersigned hereby demands in writing, pursuant to the requirements of Section 90 of Chapter 121 of the Private Laws of North Carolina, Session 1931, and particularly Section 243 of Chapter 16 of the Private Laws of 1933, that said erroneous and illegal assessment be declare by your Honorable Body null and void and canceled of record; and this is further to notify you that upon your declining to settle this demand as presented or after ten days after such presentation, neglect to enter or cause to be entered upon the minutes of the Council, your determination in regard thereto, that the undersigned will institute necessary proceedings in a court of proper jurisdiction to have the said assessment declared null and void and canceled as herein demanded.

Respectfully submitted,
Chas D. Seay

RESOLUTION AUTHORIZING MAYOR TO EXECUTE QUIT-CLAIM DEEDS TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS.

On motion of Councilman Platt Boyd, seconded by Councilman F. H. Miller, Resolution authorizing the Mayor to execute quit-claim deeds to property acquired by the City of Asheville by tax foreclosure suits (Listed owners, C. L. Kiser & L. W. Hill) was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT CLAIM DEEDS TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS.

WHEREAS, it appears to the City Council of the City of Asheville that on August 20, 1934, certain tracts of land were sold by the City of Asheville, the amount of bids being accepted by the City of Asheville by it, for the taxes, penalties and interest for the years 1928; and

WHEREAS, notices of said sales were duly posted for four consecutive weeks in the Asheville Times, newspaper, after which the sale was conducted at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	WARD	TAX	BID IN BY
1928	C. L. Kiser	[illegible]	10	$	C. F. Chuffo
1240	L. W. Hill	[illegible]	11	"	Vance Hamlin

WHEREAS, it appears that the above property is not [illegible] owners, but it also appears that the tax department of the City of Asheville notified listed owners by registered letters, receipts of which were signed and returned to the office department to the tax department of the City of Asheville, said receipts notifying the listed owners that the [illegible] the property was bid in as shown above; and requesting the listed owners to call at the office of the tax collector and file any objection to said sale; and

WHEREAS, the required thirty days have expired and the said listed owners have not filed any objection to the sale; and

WHEREAS, it appears from the records of the tax collector that the above listed owners have been properly listed for taxes.

NOW, THEREFORE, BE IT RESOLVED [illegible]

That the Mayor of the City of Asheville be and he is hereby authorized and directed to execute quit-claim deeds to the above listed owners, C. L. Kiser and L. W. Hill, as shown above, who were the highest bidders at the sale held on June 20, 1934, which are to be turned over to the Tax Collector of the City of Asheville, who will deliver same to the bidders upon payment of the amount of taxes now a lien on the said property, together with all other taxes subsequent thereto that have become a lien on the said property, of the city, as may be calculated by the proper tax officials, together with the cost of advertising, which amounts are set forth in the sale.

I move the adoption of the foregoing resolution, this the 11th day of October, 1934.

Platt Boyd
COUNCILMAN

SECONDED BY:
F. H. Miller
COUNCILMAN

Read, approved and adopted, this the 11th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

RESOLUTION AUTHORIZING PAYMENT OF CLAIM OF ELECTRIC SUPPLY COMPANY.

Resolution authorizing payment of claim of Electric Supply Company was on motion of Councilmen Chas. F. Crow, seconded by Councilman Ernest H. Miller, carried by the following, voting "Aye" Councilmen Boyd, Crow, Miller, Jones, Wamboldt and Weaver, voting "Present" Councilmen Brumbaugh and Little.

RESOLUTION AUTHORIZING PAYMENT OF CLAIM OF ELECTRIC SUPPLY COMPANY.

WHEREAS, there has heretofore been submitted by the City Council to the Corporation Counsel a claim of the Electric Supply Company by its agent, William Parr, for damages; and

WHEREAS, the Corporation Counsel has recommended that settlement be made with the said Electric Supply Company upon a compromise basis and in the amount of $250.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the sum of $628.00 be paid to the Electric Supply Company and/or William Farr in full compensation of the claim heretofore submitted dated August 16, 1934 and in connection with repairs made to the Trade Building on Commerce Street by the City of Asheville between June 18, 1934 and July 30, 1934, and that the said William Farr and the Electric Supply Company execute a full release therefor to the City of Asheville.

I move the adoption of the foregoing resolution, this 11th day of October, 1934.

Chas. F. Crow
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted this 11th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

[illegible] LEASING [illegible] BANKS AVE.

On motion of Councilman H. G. Brookshire, seconded by Councilman Chas. F. Crow, Resolution providing for leasing of building at #46 Banks Avenue for operation of cannery, unanimously adopted.

RESOLUTION PROVIDING FOR LEASING OF BUILDING AT #46 BANKS AVENUE FOR OPERATION OF CANNERY.

WHEREAS, the City of Asheville has heretofore entered into a contract with a department of the United States Government providing for the operation of a cannery in the City of Asheville, with the use of said funds; and

WHEREAS, the Consolidated Realty Corporation has agreed to lease a certain building to the City of Asheville at #46 Banks Avenue for a period of three years on condition that the city make certain enumerated repairs, which repairs are necessary in order to put the building into condition for the operation of the cannery therein, and which repairs are in accordance with the specifications of the F.E.R.A.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor and City Clerk be and they are hereby authorized to sign on behalf of the City of Asheville a lease agreement with the Consolidated Realty Corporation, being the subject matter referred to above, and being identical in form with the attached lease.

I move the adoption of the foregoing resolution, this 11th day of October, 1934.

H. G. Brookshire
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted this 11th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

[illegible]

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE)

THIS LEASE, Made this the 15th day of September, 1934, by and between CONSOLIDATED REALTY CORPORATION, a corporation doing business in the State of North Carolina, with an office in Asheville, North Carolina, hereinafter called the Lessor, and CITY OF ASHEVILLE, a Municipal Corporation in Buncombe County, North Carolina, hereinafter called the Lessee,

W I T N E S S E T H :

That the Lessor does hereby lease and demise to the Lessee, and the Lessee does hereby hire and take from the Lessor certain premises situate in the City of Asheville, County of Buncombe, State of North Carolina, more particularly described as follows:

Being Lots Nos. [illegible] of Block B, [illegible] on a plat of the Buxton Hills property, recorded in Plat Book 12, page 69, on which is located a One Story Brick building, a legal description of which may be found in the office of the Register of Deeds for Buncombe County, North Carolina, in Deed of Trust Book No. 385, at page 99, and being known as No. 46 Banks Avenue.

together with the appurtenances, to be used and occupied by the Lessee for [illegible] purpose than a Cannery from the 15th day of September, 1934, to the 14th day of September, 1937.

It is understood and agreed that if the Lessee shall, during the continuance of this lease, discontinue the use of said building as a Cannery, this lease shall not be effective and Lessee shall deliver possession to the Lessor.

It is agreed that the rental for said premises shall be paid by the Lessee to the Lessor by the making of certain repairs and improvements to the said premises, said repairs and improvements to be commenced forthwith and to be completed on or before November 1st, 1934, said repairs and improvements to be made and paid for by the Lessor and to consist of the following:

1. Build 3" concrete floor on northern half of building.
2. Install 10 complete toilets.
3. Install 2 dressing rooms complete.
4. Install lavatories and other plumbing in main part of building.
5. Install two 6' x 6' ventilators on sky light.
6. Install two 54" tubular ventilators.
7. Construct partition across center of building.
8. Re-build office partitions.
9. Re-build stairways of basement and upper story.
10. Paint entire tin top, two coats of paint.
11. Paint entire wood work.
12. Flash roofing and [illegible] walls.
13. Screen all [illegible] openings.

all of the above mentioned repairs and improvements from part to be done in the manner, and all materials [illegible] to be of the best [illegible].

It is hereby agreed that the said Lessee shall pay [illegible] above premises for said term, [illegible] hereinbefore specified, [illegible] without the written consent of said Lessor, [illegible] thereof without such written consent.

It is understood [illegible] made by the Lessee shall be the property of the Lessor, [illegible],

It is under[illegible] destroyed by any [illegible] operation of law in any [illegible] shall immediately termin[illegible].

It is agreed that [illegible] insured, and in [illegible] in good condition and repair, [illegible] the Lessor in as good condition as [illegible] fire not resulting from [illegible] excepted.

In case the premises shall, without any fault [illegible] employees or agents, be [illegible] as to be untenantable and unfit for occupancy, [illegible] rent of said premises thereafter, and all right of [illegible] at once cease, and this [illegible].

It is further [illegible] or deeds of trust which [illegible] thereof, and that the Lessee will, upon [illegible] subordinating this lease to said mortgage or [illegible] beneficiary of any mortgage or [illegible] premises.

It is agreed that in the event that [illegible] by the Lessee on or before November 1st, 1934, in [illegible] or in the event of any default in any of the covenants [illegible] performed by the Lessee, or breach thereof, then and [illegible] such event, become a tenant at will, and it shall be lawful for said Lessor to reenter and take possession of said premises and remove all persons therefrom.

IN WITNESS WHEREOF, the said Lessor and Lessee have duly executed these presents, this the day and year first above written.

Attest:
D. F. Penny
Secretary

CONSOLIDATED REALTY CORPORATION
By Lawrence T. Sutton
President

Attest:

Secretary

CITY OF ASHEVILLE

By
Mayor

Approved as to form
[illegible] I know little about
this trade.
C. E. Blackstock

RESOLUTION AUTHORIZING CONTRACT WITH W. BOWEN HENDERSON

A resolution authorizing execution of contract with W. Bowen Henderson for audit of the City's accounts for 1934-35 was read on motion of Councilman Joseph W. Little, seconded by Councilman [illegible]. W. [illegible] was read for content.

Councilman [illegible] objected to consideration of the resolution because consideration had not been given to Councilmen [illegible]. Councilman Westall moved, seconded by Councilman Miller that the rules be suspended and the resolution considered. This motion carried, and a vote was taken, voting "aye" Councilmen Boyd, Brookings, Grow, Little, Miller, Rainey, Wombolt and Westall. Councilman [illegible] voting "present", the resolution was declared adopted.

CONTRACT WITH W. BOWEN HENDERSON

THIS CONTRACT, MADE THIS [illegible] DAY OF OCTOBER, 1934-35.

BY AND BETWEEN THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the [illegible] City Council has and they are hereby authorized and empowered to enter into a written contract with W. Bowen Henderson, certified public accountants, whereby the said W. Bowen Henderson shall make the annual audit for the fiscal year 1934-35, [illegible] and shall also compile the budget to be submitted to the City Council for the ensuing fiscal year, for which services to the City the said W. Bowen Henderson shall be paid the sum of $2500.00, payable quarterly--the more particular terms of said contract to be embodied in the copy of said contract attached hereto.

Introduced the foregoing resolution, this 11th day of October, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: H. W. Rainey
COUNCILMAN

Adopted this 11th day of October, 1934.

Wm. F. Wombolt
MAYOR

Attest: J. C. Thompson
CITY CLERK

APPROVED AS TO FORM:
[illegible]
ATTORNEY

THIS AGREEMENT, made this 11th day of August, 1934, in accordance with the requirements of the Public Laws of North Carolina, between W. Bowen Henderson, C. P. A., of Asheville, North Carolina, hereinafter known as the Party of the First Part, and the City Council of City of Asheville, North Carolina, hereinafter known as the Party of the Second Part.

1. The Party of the First Part shall complete an audit of the accounts, records and financial transactions of the City of Asheville for the fiscal year ending June 30, 1935, in accordance with the Standard Program of Audit Procedure for Cities, prepared by the Director of Local Government, and in accordance with the terms of this contract. (Any modification of said Program of Audit Procedure must be approved by the Director of Local Government, in writing, before the same shall be effective, when approved by the Director of Local Government, such modification shall be considered as a part of said Program of Audit Procedure with reference to the paragraph number designated in said modification.) Except Portions of Section B not applicable to the City of Asheville are Item #11 of Contents of Audit Report.

2. It is agreed that the party of the first part shall prepare the 1935-1936 Budget.

3. Said Party of the First Part agrees that the services herein contemplated to be performed shall be done by or under the personal supervision of competent employees who shall faithfully perform their work with care and diligence and report all irregularities, omissions or inaccuracies in the records of the Party of the Second Part.

4. It is understood that should unusual conditions arise whereby the time consumed in the audit is necessary beyond the extent of the work contemplated in the Standard Program of Audit Procedure, such unusual conditions shall be reported to the Party of the Second Part, who shall instruct said Party of the First Part concerning such additional services, which shall be subject to the approval of the Director of Local Government.

6. The audit shall be completed as soon after this contract is executed and approved as is practicable to the Party of the First Part to do and shall be completed and a written report thereof rendered within a reasonable time after the close of the fiscal period covered by this contract. One copy of said report shall be filed with the Director of Local Government

5. In consideration of the faithful performance of the conditions, agreements and undertakings herein set forth, the Party of the Second Part shall pay to the Party of the First Part, upon approval by the Director of Local Government, a fee of Three Thousand Three Hundred Dollars ($3300.00)

W. Bowen Henderson
Party of the First Part

By W. Bowen Henderson

[illegible]
Party of the Second Part

By

Provisions for the payment of the moneys to fall due under this contract are contained in the appropriation duly made or by bonds or notes duly authorized according to the provisions of the Fiscal Control Act, as amended.

County Accountant

Of the City of Asheville, North Carolina

RESOLUTION AUTHORIZING [illegible]

Councilman Little moved the adoption of a resolution authorizing the sale of a certain lot known as [illegible], seconded by Councilman Miller. Discussion was had on the motion, and the motion was withdrawn at this time.

An amendment was offered by Councilman [illegible] to the effect that the City Council [illegible] the property.

A vote was taken on the amendment, and the amendment was lost.

Discussion was had on the motion.

A motion was made by Councilman [illegible] that the matter be referred to the City Attorney for investigation and report at the next meeting of the City Council.

Motion taken.

Discussion in regard to [illegible]

A resolution introduced by Councilman [illegible] and seconded by Councilman Brookings authorizing the Mayor to execute a deed to [illegible]. Vote was taken, resulting as follows: Ayes, Councilmen Boyd, Brookings, Grow, Little, Miller, Rainey, Wombolt and Westall. Noes, none. Councilman [illegible] voting "present", the resolution was declared adopted.

Councilman Brookings moved that the City Council go into executive session to discuss but not act upon the matter of the appointment of an individual to the Police Department, seconded by Councilman [illegible]. Motion carried, and Council went into executive session.

STATE OF NORTH CAROLINA
BUNCOMBE COUNTY.

I, W. C. Moreland
Assistant
Miss Wombolt, Mayor
Boyd, Brookings, Grow, Little, Miller, Rainey, Wombolt, Westall, Councilmen, City of Asheville, North Carolina, do hereby certify that the foregoing is a true and correct copy of the proceedings had by the City Council of the City of Asheville, North Carolina, on the 11th day of October, 1934, as appears of record in the minutes of said City Council, in my custody as Assistant City Clerk.

WITNESS my hand and the corporate seal of the City of Asheville, this the 12th day of October, 1934.

W. C. Moreland
Assistant City Clerk

BE IT FURTHER RESOLVED that the Corporation Counsel be directed to resist [illegible] action brought by the plaintiff and to undertake to uphold and sustain the action of the City Council.

BE IT FURTHER RESOLVED that the Corporation Counsel be instructed to ask [illegible] of the Superior Court of Buncombe County, by motion, to strike out the answer [illegible] upon the grounds that said answer was filed [illegible] minutes of the Council.

[illegible] resolution, [illegible] of October, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

[illegible] 11th day of October, 1934.

Wickes Wamboldt
MAYOR

F. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. C. Blackstock
CORPORATION COUNSEL

A roll call of Councilmen Miller, [illegible] by Councilman Wentell, that action on the [illegible] until next week, to become the first order of business, carried unanimously.

Wickes Wamboldt

E. G. Thompson

Thursday, October 18, 1934- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John V. Baumberger, H. C. Brookshire, Chas. F. Crow, Joseph W. Little, P. H. Miller, Wickes Wamboldt and Jos. W. Wentell, and Assistant Corporation Counsel Philip C. Cocke Jr. The minutes of the previous session were read and approved.

CLAIM

Claim of W. L. Shuford that paving assessments charged against Lot 16, sheet 10, ward 6, Mildred Avenue, be declared null and void and canceled of record was presented and on motion of Councilman Little, seconded by Councilman Baumberger, referred to the Corporation Counsel for examination and report.

To the Honorable Mayor and City Council
of the City of Asheville, North Carolina:

The undersigned respectfully showeth to your Honorable Body that he is the owner [illegible] and entitled to the possession of that certain tract or lot of land situate, lying and being on Mildred Avenue in the City of Asheville, North Carolina, known and designated as lot 1, as shown on a plat of the J. H. Nicholson land, which plat is recorded in the office of the Register of Deeds for Buncombe County, North Carolina, in plat book 17, on page 47, and also described and shown as lot 3½, sheet 10, ward 6 on the Tax Listing Records for the County of Buncombe, and particularly the City of Asheville, and that the City of Asheville erroneously, irregularly, and with warrant of law, undertook [illegible] to levy or assess the hereinabove mentioned lots of land with the [illegible] paving assessment, said street paving assessment being against the land [illegible] hereinabove mentioned, along with certain other adjoining property, and [illegible] to said property against lot 16, sheet 10, ward 6, for Mildred Avenue pursuant to the original amount of One-thousand Four-hundred Ninety-two and Sixty-two One hundredths ($1,492.62) Dollars, which attempted assessment still remains upon the assessment records of the City of Asheville with accrued interest thereon, which purported assessment affects adversely the estate of the undersigned and which is unreasonably calculated to burden and embarrass the undersigned owner in the full and proper enjoyment of his proprietary rights, including the right to dispose of the same at its fair market value:

WHEREFORE, the undersigned hereby [illegible] of Section 90 of Chapter 121 of the Private Laws of [illegible], Session 1931, and particularly Section 247 of Chapter 92 of the Public Laws of [illegible], and illegal assessment be declared by your Honorable Body [illegible] record; and this is further to notify you that upon your [illegible] as presented, or after ten days after such [illegible] entered upon the minutes of the Council, your petitioner [illegible] undersigned will institute proceedings [illegible] there the said assessment declared null and void [illegible]

[illegible]

W. L. Shuford.

J. B. SAWYER-CLAIM

Notice of claim for [illegible] in the sum of $100.00, for [illegible] Sawyer in Swannanoa township, was filed by the [illegible] to the Corporation Counsel.

STATE OF NORTH CAROLINA)
:
COUNTY OF BUNCOMBE.)

J. B. SAWYER, CLAIMANT) CLAIM
vs)
THE CITY OF ASHEVILLE, A MUNICIPAL CORPORATION)

TO THE HONORABLE MAYOR AND THE CITY COUNCIL, CITY OF ASHEVILLE.

Take notice that: the claimant above [illegible] of South J. B. Sawyer [illegible] of claim against the City of Asheville, for the sum of $100, on [illegible] claim shows the following:

1.

That the claimant [illegible] of Buncombe County, State of North Carolina, [illegible] in Swannanoa [illegible] of North Carolina.

2.

That the city of Asheville is a municipal corporation duly organized and [illegible] under and by virtue of the laws of the state of North Carolina, [illegible] authorities consisting of a city council composed of the [illegible] of the said city.

3.

That during the months of February and March last, the city of Asheville was engaged in the removal of water pipes from [illegible] and located in Swannanoa township, Buncombe county; that this claimant is the owner of certain real estate, consisting of a farm, [illegible] and water lines, said property being [illegible] thereon, together with [illegible].

4.

That said city of Asheville, through its agents, servants and employees, while in the act of removing the said water pipes from [illegible] the claimants property, in digging [illegible] thereon, causing injury to his fences, [illegible] to be an amount not less than the sum of $100.

5.

That the claimant has [illegible] repeatedly approached the governing authorities of the city of Asheville, through their city manager, in regard to [illegible] redress the injuries to claimants property, and the said city managers [illegible] occasions assured the claimant that his property would be repaired by the city, or he would be paid for such injuries as had been done thereto; that the last occasion on which the claimant was assured that this injury would be adjusted was [illegible] August 1, 1934.

WHEREFORE, a claimant makes demand upon the city of Asheville, through its mayor and city council that they award and pay to him damages in the sum of $100, and hereby serves notice that unless said damages are paid he will [illegible] action in the courts of Buncombe county North Carolina for the same.

Edward F. McMahon
Attorney for plaintiff.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

EDWARD H. McMAHAN, after first being duly sworn deposes and says:

That he is the attorney for the claimant in the above entitled matter, and has made investigation of claimants claim against the city of Asheville; that he knows the facts and is familiar with the same; that he has read the foregoing claim and knows the contents thereof and that the same are true with his own knowledge, except as for such facts as may be stated therein upon information and belief, and as to these matter he believes them to be true.

Edward H. McMahan
Affiant

Subscribed and sworn to before me this the 4th day of October, 1934.

E. B. Calloway
Notary Public (Notarial Seal)
My commission expires: Oct , 1938

[illegible] "Milk Bottle" Ordinance

Judge Sam V. Cathey on behalf of the producers and distributors of milk, offered an ordinance authorizing the use of a "store bottle" for milk by any person, firm, corporation or association engaged in handling milk and milk products in the City of Asheville.

Councilman Jerome W. Little moved, seconded by Councilman Chas. F. Crow, that the ordinance be referred to the Committee for consideration at the next meeting. This motion carried. On motion of Councilman Brumberger, seconded by Councilman Westall that the ordinance be referred to the Health Department for recommendation, also carried.

Ordinance #814 entitled An ordinance relating to attendance of children in schools [illegible] contagious diseases was offered on its third and final reading. Voting "aye" Councilmen Brumberger, Brookshire, Crow, Miller, Wamboldt and Westall, Voting "no" Councilmen Little, the ordinance was declared adopted, to become effect on the 3rd day of November, 1934.

ORDINANCE #814

AN ORDINANCE RELATING TO ATTENDANCE OF CHILDREN IN SCHOOLS [illegible] CONTAGIOUS DISEASES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1 No pupil who has resided in any family while there was therein a person suffering from whooping cough, or measles, shall attend public or private school or Sunday School, without a written signed statement of a reputable physician, to the Health Officer, stating that he knows positively that the person seeking admission to school has had whooping cough or measles, as the case may be, or that the parents or guardians of children shall make a sworn statement to the Health Officer that the pupil has had whooping cough or measles. Otherwise the pupil shall be excluded from school and other places of public gatherings.

Section 2 That any parent or guardian who shall violate any of the provisions of this ordinance shall, upon conviction, pay a penalty of Five ($5.00) Dollars for each and every such offense.

Read the motion of the foregoing ordinance, this 4th day of October, 1934.

H. G. Brookshire
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this 18th day of October, 1934, to become effective 3rd day of November, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

ORDINANCE PROVIDING FOR DI[illegible]

An ordinance providing for disinfecting premises following certain contagious diseases by the occupants was offered on its second reading. Voting "aye" Councilmen Brookshire, voting "no" Councilmen Brumberger, Crow, Little, [illegible], the ordinance did not pass on its second reading.

RESOLUTION T. V. A. [illegible]

The committee appointed to prepare a resolution to [illegible] Authority to construct a flood control and power dam on the French Broad River, offered a substitute resolution. A motion was made by Councilman [illegible] Councilman Miller that the resolution be adopted. A substitute motion was made by Councilman Miller seconded by Councilman Westall that the resolution be questioned by the Finance Committee on being put to a vote, carried.

RESOLUTION REFERRING [illegible] OF MR. F. [illegible]

The committee composed of Councilmen Miller, Little and Brumberger, appointed to confer with Mr. J. G. Merrimon in regard to assessments of Fannie Bryant property, offered a resolution cancelling assessments on property of Mrs. F. [illegible] for paving, levied for the opening and widening of Biltmore Avenue for paving.

A motion made by Councilman Little, seconded by Councilman [illegible] that the resolution be referred to the Corporation Counsel with direction to prepare to the Council whether or not the Council can adopt the resolution, carried.

TRAFFIC ORDINANCE --FIRST [illegible]

Councilman Ernest W. Miller moved, seconded by Councilman Chas. F. [illegible] an ordinance to promote public order and safety for the regulation of traffic upon highways, alleys, avenues, passageways, sidewalks, public walks [illegible] Asheville by vehicles of every kind and character, and rules and regulations as are in emergencies deemed necessary for the protection of the public, in said streets, sidewalks and alleyways, be adopted.

AMENDMENTS

On motion of Councilman Miller, seconded by Councilman [illegible] were adopted:

In Section 74- Zone of Quiet the following paragraphs [illegible]:

(b) The Director of Public Safety may establish zones of quiet upon any [illegible] territory within 200 feet of any church or building used as a place of worship, and zone of quiet shall be designated by an appropriate sign or [illegible] "Quiet Zone".

(c) Blowing of Horn or [illegible] of Motor. [illegible] of motor of any vehicle shall [illegible] people or where meetings [illegible] shall be [illegible]

The motion of Councilman Miller, seconded by Councilman [illegible] Traffic Commission. Its Powers and Duties, be stricken out carried unanimously.

The ordinance as amended was then voted on its first reading. Voting "aye". Councilman Crow, Little, Miller, Wamboldt [illegible] Westall, voting "no" Councilmen Brumberger and Brookshire, the ordinance was declared passed on its first reading.

RESOLUTION AUTHORIZING QUIT-[illegible] FROM [illegible] CORPORATION

On motion of Councilman Ernest W. Miller, seconded by Councilman [illegible] resolution authorizing the Mayor to execute a quit-claim deed to Southern Inn [illegible] Asheville, a North Carolina Corporation, [illegible] unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO [illegible] QUIT-CLAIM DEED TO CENTRAL INVESTMENT CORPORATION, A NORTH CAROLINA CORPORATION AND TO DELIVER ITS PRINCIPAL [illegible] TO SAID CORPORATION.

WHEREAS, Wickes Wamboldt, Mayor, and E. G. Thompson, Mayor, [illegible] of the City of Asheville, executed a deed on the [illegible] day of May, 1931 in favor of the Central Investment Corporation; and

WHEREAS, it appears or will appear that the [illegible] F. B. Miller [illegible] Alice L. Miller; and

WHEREAS, the Central Investment Corporation should have been the Central Investment Corporation, a North Carolina Corporation with its principal [illegible] Raleigh, North Carolina; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE

That the Mayor is hereby authorized to execute a quit-claim deed to the Central Investment Corporation, a North Carolina corporation with its principal office in North Carolina, for Lots 116, 117, 118, Sheet 1, Ward 5, and Lots 849 and 851, Sheet 8, Ward 5.

I move the adoption of the foregoing resolution, this 18th day of October, 1974.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

[illegible], unanimously adopted, this 18th day of October, 1974.

Wicker Wamboldt
MAYOR

P. C. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CITY OF ASHEVILLE AND ASHEVILLE PACKING COMPANY, INC., FOR PERFORMANCE OF THE ABATTOIR SERVICE HERETOFORE PROVIDED FOR BY A CONTRACT BETWEEN THE CITY OF ASHEVILLE AND THE FEDERAL EMERGENCY RELIEF ADMINISTRATION.

WHEREAS, the City Council of the City of Asheville on the 10th day of August, 1974, adopted a resolution authorizing the execution of a contract with the Federal Emergency Relief Administration as of the date of August 10, 1934, providing that the City would furnish a certain building for the operation of a cannery by the Federal Government and furnish the materials for certain alterations therein, and furnish the necessary electricity for the operation of said cannery; and

WHEREAS, in the second place it was provided that said abbatoir service should be supplied by the City; and

WHEREAS, the Asheville Packing Company, Inc. agrees to assume the obligation of the City of Asheville in the matter of furnishing the abattoir service provided for in said contract, and agrees to furnish bond in the amount of $2,[illegible] for the faithful performance of said contract;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE

That the Mayor and Clerk be and they are hereby authorized to execute a contract on behalf of the City of Asheville with the Asheville Packing Company, Inc. providing for the performance by the Asheville Packing Company, Inc. of the matters and things covenanted in the contract between the City of Asheville and F.E.R.A. dated August 10, 1934, pertaining to the abattoir service therein set forth, copy of said contract to be marked "Rider B".

BE IT FURTHER RESOLVED that the execution of said contract by the Mayor and Clerk is contingent upon the execution by the Asheville Packing Company, Inc. of a bond acceptable to the City Attorney by the Mayor and in the amount of $8,000.00 payable to the City of Asheville and guaranteeing the performance of the said contract.

I move the adoption of the foregoing resolution this 18th day of October, 1934.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

[illegible], unanimously adopted, this 18th day of October, 1934.

Wicker Wamboldt
MAYOR

P. C. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

CONTRACT WITH ASHEVILLE PACKING COMPANY, INC.-

RIDER "B"

STATE OF NORTH CAROLINA }
COUNTY OF BUNCOMBE }

THIS AGREEMENT, Made and entered into this [illegible] by and between the CITY OF ASHEVILLE, a municipal corporation [illegible] party of the first part and the [illegible] corporation organized and [illegible] with its principal office in the City of Asheville, [illegible] part:

W I T N E S S E T H:

WHEREAS, pursuant to resolution [illegible] Asheville on the 10th day of August, 1934, the said City Council of the City of Asheville contract of even date herewith the Federal Emergency Relief Administration, by virtue of which the said City of Asheville [illegible] therein set forth in the establishment and maintenance of an abattoir within said city, copy of said contract being [illegible] of;

NOW, THEREFORE, in furtherance of said agreement to the mutual covenants and agreements in said contract contained, and for the consideration set forth in paragraph 8 of the said contract, by the party of the first part to be performed, as aforesaid, the said party of the second part hereby agrees to enter into said contract to perform any and all the acts required of the said City of Asheville in the establishment, maintenance and operation of the abattoir service specifically enumerated in the Federal Emergency Relief Administration [illegible],

The said City of Asheville, in consideration of the performance by the party of the second part of said obligations and the [illegible] services aforesaid does hereby sublet and contract to the said party of the second part the privilege of performing said services and to furnish and deliver unto the said party of the second part all [illegible] to be consideration provided for in said contract.

IN WITNESS WHEREOF, the said party of the first part has caused this agreement to be executed on its behalf by its Mayor and attested by the City Clerk and the party of the second part has caused these presents to be executed in its corporate name by its President and attested by its Secretary, all [illegible] October, 1934.

ATTEST: CITY OF ASHEVILLE
By
City Clerk Mayor

ATTEST: ASHEVILLE PACKING COMPANY, INC.
By
Secretary President

APPROVED AS TO FORM:
Corporation Counsel

AGREEMENT BETWEEN FEDERAL [illegible]
Minute Docket #28, Page 134

RESOLUTION AUTHORIZING [illegible]

On motion of Councilman Little, seconded by Councilman Miller, [illegible] for resolution authorizing sale of a certain lot known as Lot 117, [illegible], Ward 4, [illegible] until next meeting.

RESOLUTION AUTHORIZING TAX [illegible]
TAXES

A motion made by Councilman Miller, seconded by Councilman Crow, that resolution authorizing the Tax Collector to deliver certain [illegible] for taxes [illegible] by the City upon payment of taxes, interest and costs involved in original foreclosures, together with proper releasing of the property for payment of subsequent taxes be placed on the calendar for consideration at next meeting, carried.

ORDINANCE 215 FIRST READING

Councilman Ernest H. Miller moved, seconded by Councilman John [illegible] Baumgarner, that an ordinance fixing and prescribing a building line on East Haywood Road, City of Asheville be adopted.

October 18, 1934

A motion was made by Councilman Baumberger, seconded by Councilman Miller that the ord
be amended by adding the word "emergency" before ordinance and adding "and Clingman Avenue"
after East Haywood Road in the caption, carried.

The following amendments offered by Councilman Baumberger, seconded by Councilmen
Miller carried:

Change East Haywood Street wherever it appears in the ordinance to East Haywood Ro

In section 1 strike the words "East Haywood Road" and "and Clingman Avenue",
section 1, second line after "southern" add "and western" and after "curb"
add "lines" delete "respectively" insert.
In line 4, after words" direction to the" add word "west"
In 4th line after words "East Haywood Road" add "and thence from the said intersec
of Clingman Avenue in a southern direction with the western curb of Clingman Avenu
to its intersection with Phoenix Street"

A vote was then taken on An Emergency Ordinance fixing and prescribing a building
on East Haywood Road and Clingman Avenue, City of Asheville, as amended. Voting "aye"
Councilmen Baumberger, Brow, Little, Miller, Marbolt and Westall, voting "no" Councilmen
Brookshire, the ordinance was declared passed on its first reading.

A motion made by Councilman Baumberger, seconded by Councilman Westall, that the
be suspended and the ordinance placed on its third reading, on being put to a vo
the motion being five "ayes" and two "noes.

On motion of Councilman Joseph W. Little, seconded by Councilman Ernest H. Miller
A resolution appointing a committee of three to investigation the quest
of installation of lights on Lexington Avenue for parking and establishment of a
parking meters.

WHEREAS, there is a building in process of erection on property on Lexington Avenue, on which
building is being built, has been sold for city taxes and might easily be
acquired by the City; and

WHEREAS, the condition continues to exist on Lexington Avenue and it
is the right of the City to alleviate the congestion in any way that is feasible; and

WHEREAS, there is no comfort station in the vicinity of the large marke
area of Lexington Avenue and very little parking space for vehicles; and

WHEREAS, if such buildings were removed it would afford addition opportu
for parking space and would also afford an opportunity for the establishment of
comfort station.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHE

That a committee of three be appointed to make an investigation of the
questions set forth in the preamble of this resolution and thereafter make a rep
to the Council with respect thereto.

I move the adoption of the foregoing resolution, this the 11th day of
October, 1934.

Joseph W. Little
COUNCILMAN

SECONDED B.: Ernest H. Miller
COUNCILMAN

Read, approved and adopted, this the 18th day of October, 1934.

Wickes Wamboldt
MAYOR
E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Mayor Wamboldt appointed Councilmen Miller, Little and Westall to constitute the
Committee to make an investigation of the question set forth in the preamble of the resol
and thereafter make a report to the Council with respect thereto.

A motion of Councilman Little, seconded by Councilman Baumberger, that the reque
the Community Chest to place a marker in Pritchard Park in connection with the drive, carr

Councilman Miller moved, seconded by Councilman Westall, that the Council approve
the request that flags be displayed at the city hall during the drive. This motion carr

October 18, 1934

APPLICATION TO ORDINANCE POINT
L. F. HALLYBURTON

An application from J. P. Thomas for [illegible] motor busses was presented, and on motion of Councilman [illegible] action was deferred.

COMMUNICATION ABSTRACTION
Mrs. L. F. HALLYBURTON

The request of Mrs. L. F. Hallyburton for [illegible] was referred to the Corporation Counsel.

On motion, adjourned

Mayor

City Clerk

Thursday, October 25, 1934- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

ASHEVILLE PACKING COMPANY, INC.
BAKER PACKING COMPANY

Mr. J. A. Baker, representing the Baker Packing Company, and Mr. Burgin Pennell, representing the Asheville Packing Company, spoke in regard to awarding the contract for slaughtering cattle for the F.E.R.A. cannery.

A motion was made by Councilman Little, seconded by Councilman Baumberger, that motion adopting the resolution authorizing a contract between the City of Asheville and Asheville Packing Company, Inc., for performance of the abattoir service heretofore provided for in a contract between the City of Asheville and the Federal Emergency Relief Administration, by the Council on October 18th, be reconsidered. This motion carried, and Councilman Little moved, seconded by Councilman Baumberger, that the matter be re-referred to the Committee composed of Councilmen Westall, Boyd and Miller, with instructions to make further investigation and report to the Council. This motion carried.

ORDINANCE--"STORE BOTTLE".

A communication was read from Dr. D. E. Sevier in regard to advisability of an ordinance authorizing the use of a "store bottle" for milk by any person, firm, corporation or association engaged in handling milk and milk products in the City of Asheville, in which Dr. Sevier asked that time for report be extended until meeting November 1st.

It was moved by Councilman Baumberger, seconded by Councilman Westall, that action on this ordinance be deferred until Nov. 1st.

ORDINANCE #215--SECOND & THIRD READING.

Ordinance #215, entitled An Emergency ordinance fixing and prescribing a building line on East Haywood Road and Clingman Avenue, City of Asheville was voted on its second reading. Voting "aye" Councilmen Baumberger, Boyd, Crow, Little, Miller, Wamboldt and Westall, voting "no" Councilman Brookshire, the ordinance was declared passed on its second reading.

A motion made by Councilman Baumberger, seconded by Councilman Westall, that the rules be suspended and the ordinance placed on its third and final reading passed by a vote of seven "ayes" to 1 "no".

A vote was then taken on its third reading as follows: "ayes" Councilmen Baumberger, Boyd, Crow, Little, Miller, Wamboldt and Westall, voting "no" Councilman Brookshire, the ordinance was declared adopted and being an emergency ordinance to become effective immediately upon publication.

ORDINANCE #215

AN EMERGENCY ORDINANCE FIXING AND PRESCRIBING A BUILDING LINE ON EAST HAYWOOD ROAD AND CLINGMAN AVENUE, CITY OF ASHEVILLE.

WHEREAS, it is contemplated by the City Council of the City of Asheville that Clingman Avenue and East Haywood Road to the over-pass on East Haywood Road be widened at the first possible opportunity when money may be available from the federal funds through the State Highway Commission, application having heretofore been made for such funds for such street widening; and

WHEREAS, the City Council deems that such widening is in the public interest and is necessary for the public safety, and in order that the procuring of rights of way may not be made further difficult by the construction of buildings to the margin of the present street: and

WHEREAS, the prospects for obtaining federal funds through the State Highway Commission for the widening of Clingman Avenue and East Haywood Road appear to be certain and immediate; and

WHEREAS, if any building should be constructed to the margin of the present streets, namely Clingman Avenue and East Haywood Road, before said widening and reconstruction takes place, the public safety will thereby be endangered, and for the aforesaid reasons the present ordinance is deemed to be an emergency ordinance in behalf of the public safety of the people of the City of Asheville.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That a building line for all buildings be and is hereby fixed and established on East Haywood Road and Clingman Avenue ten feet south of the pr southern and western curb lines, respectively, thereof extending from a point adj the eastern enbankment where Park Avenue crosses over East Haywood Road and exten in an eastern direction to the west curb of Clingman Avenue south of its intersec with the southern margin of East Haywood Road and thence from the said intersecti Clingman Avenue in a southern direction with the western curb of Clingman Avenue its intersection with Roberts Street: and every person, firm, or corporation be a they are hereby prohibited from erecting, constructing or reconstructing any buil on any lot abutting on said portion of East Haywood Road herein described, the fr of which projects beyond the building line hereinbefore established.

Section 2. That any person, firm or corporation violating any provision this ordinance shall be subject to a penalty of Fifty dollars for each and every violation, and each day that construction work is carried on in the erection of a building projecting beyond the building line herein established, or for each day any building is constructed after the passage of this ordinance, the front of whi projects beyond the building line herein established, shall constitute a separate distinct offense.

I move the adoption of the foregoing ordinance, this 18th day of October,

Ernest H. Miller
COUNCILMAN

SECONDED BY: John E. Baumberger
COUNCILMAN

The foregoing ordinance having passed on its first reading on October 18, by a vote of 6 to 1; on its second reading on October 25, 1934 by a vote of 7 to upon motion to place ordinance on its third reading immediately was carried by a of 7 to 1 and the ordinance was placed on its third readig carried by a vote of 7 shall become effective immediately upon publication.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock

COMPORATION COUNSEL

TRAFFIC ORDINANCE # 216 SECOND READING

An ordinance to promote public order and safety for the regulation of the use of streets, highways, alleys, avenues, passageways, sidewalks, public walkways, etc., in th of Asheville by vehicles of every kind and character, animals and pedestrians; and such and safety as are in emergencies deemed necessary necessary for the protection of the pu and the use of said streets, sidewalks and alleyways was presented on its second reading

A motion made by Councilman Miller, seconded by Councilman Westall, that the ord be amended by striking out the words "street cars" in section 78 carried unanimously.

The ordinance as amended was voted on its second reading, Councilmen Boyd, Brook Crow, Little, Miller, Rainey Wamboldt and Westall voting "aye", Councilman Baumberger vo "no", the ordinance was declared passed on its second reading.

RESOLUTION AUTHORIZING TAX COLLECTOR TO DELIVER CERTAIN DEEDS HERETOFORE EXECUTED BY THE CITY UPON PAYMENT OF TAXES, INTEREST AND COSTS INVOLVED IN ORIGINAL FORECLOSURES, TOGETHER WITH PROPER LISTING OF THE PROPERTY FOR PAYMENT OF SUBSEQUENT TAXES.

A resolution authorizing the Tax Collector to deliver certain deeds heretofore executed by the City upon payment of taxes, interest and costs involved in original foreclosures, together with proper listing of the property for payment of subsequent taxes, was on motion of Councilman Ernest H. Miller, seconded by Councilman Jack Westall, unanimously adopted.

WHEREAS, the attached lots have been deeded to the persons whose names appear on the attached list by the City of Asheville and the deeds have been delivered to the Tax Collector under resolutions heretofore passed by the City Council compelling the Tax Collector to collect not only the taxes, interest and costs involved in the original tax foreclosure proceedings, but to collect also all subsequent taxes as a condition precedent to the delivery of said deeds; and

WHEREAS, the Tax Collector has been unable to deliver said deeds for the reason that the persons claiming same have been unable to pay all subsequent taxes, and some of said deeds have been lying in the Tax Collector's office of practically one year; and

WHEREAS, it is indicated by Mr. W. Z. Penland, Tax, Supervisor for Buncombe County, that he, with proper notice from the City Tax Collector, can make a listing of said property for taxes subsequent to the date of the year for which foreclosure was had upon which the said deeds were made, which listing for subsequent years would insure to the county and city the taxes for subsequent years; and

WHEREAS, the City Tax Collector recommends that he be allowed to deliver the said deeds upon a condition of listing of said property for subsequent taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Tax Collector of the City of Asheville be and he is hereby authorized and empowered to deliver the deeds in accordance with the attached list, and as provided by former resolutions, with the following modification of the former resolution, to-wit, that the Tax Collector shall be required to collect only the taxes, costs and interest involved in the original tax foreclosure sale, and the resale under former resolutions of the City Council, and upon the second condition that the City Tax Collector in conjunction with the Tax Supervisor of Buncombe County shall see that the said lots are listed for taxes for the years subsequent to that upon which the foreclosure tax deed is based, and third that the Mayor and City Clerk shall cause to be inserted in the deeds a proviso whereby the persons receiving said deeds shall agree to pay all taxes subsequent to the year upon which tax foreclosure suits were based.

I move the adoption of the foregoing resolution, this 25th day of October, 1934.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted this 25th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Cert. Nos.	Lot	Ward	Sheet	Deeded to
979	96½	3	2	J. Frazier Glenn and wife, Eunice P. Glenn
842				
11192	105 & 106	3		
1267	111	4	16	Mrs. Hattie King
1530	58	4	10	Giles Gilliam
1909	8 to 19 inc 259,260,261 & 263 to 273 inc.	5	7 25	H. M. Jordan and J. R. Jordan Carr Lumber Company
1955	164	5	7	G. H. Jones
2294		5	17	Arthur A. York and wife, Virginia W. York
2333	35-A & 35½	5		
4133	215	6	7	Vasselike Xedis and Lucas Xedis
5558	8	3	1	J. A. Beachboard & G. W. Beachboard
9515	16	1	15	Mrs. Henry Ward
8648	153	5	1	Bertha Hemphill
6893	3	5	8	Graves Investment Company
1127	155	5	10	Edna L. Mitchell
9564	101	4	1	Estelle B. Plunkett
1094	85	6	15	Collins & Young
	181	4	10	L. T. & J. W. Brooks
			9	Ellen Brank

Cert. Nos.	Lot	Ward	Sheet	Deeded to
5672	80½	2	4	Cornelia Weaver
1016	45	3	15	Dora Williams
80	14	1	1	Dr. Horatio Erwin
713	22½	3	15	Mamie Candler
1070	132	4	5	S. I. Bean
1267	43 & 44	4	7	J. O. Jordan
1437	148½ & 149	4	9	Robert L. Sprouse
1508	76	4	3	Violet Wilson
1795	101	5	11	Mrs. C. L. Arrowood and husband C. L. Arrowood
1923	125 to 128 inc.	5	18	A. W. Kerr
2316	35	6	3	Mrs. J. F. Laughter
2677	60	6	7	W. W. Bunyan
1159	126	4	5	
	226	4	11	Mrs. Anna L. Linn
1176	70	4	11	Ruth Wilson
1928	156	5	20	R. E. Shuford
1240	58	4	15	Vance Harrell

RESOLUTION TO PETITION T. V. A. TO HASTEN PLANS [illegible] DISTRIBUTION OF ELECTRIC CURRENT.

A resolution to petition the Tennessee Valley Authority to hasten any plans they have for giving relief to Asheville and its environs and to advise the City of Asheville of way in which the City may lend its cooperation and support to such plans as have already devised or may be in the making was on motion of Councilman Joseph W. Little, seconded by Councilman H. G. Brookshire, adopted.

A RESOLUTION TO PETITION THE TENNESSEE VALLEY AUTHORITY TO HASTEN ANY PLANS THEY MAY HAVE FOR GIVING RELIEF TO ASHEVILLE AND ITS ENVIRONS AND TO ADVISE THE CITY OF ASHEVILLE OF ANY WAY IN WHICH THE CITY MAY LEND ITS COOPERATION AND SUPPORT TO SUCH PLANS AS HAVE ALREADY BEEN DEVISED OR MAY BE IN THE MAKING.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE, N. C., THAT

WHEREAS, under an act of Congress of the United States of America, the Tennessee Valley Authority has been created with certain powers and duties as set forth in said act and is now functioning and performing the duties assigned to it by virtue of the authority given by the Congress; and

WHEREAS, among other things the Tennessee Valley Authority is engaged, as this Council understands, in the building of power dams and the distribution of electric current throughout the Tennessee Valley Authority area; and

WHEREAS, the section in and around Asheville is in crying need of reduced rates for electric current on account of the excessively high charges that now p and the City of Asheville is also desirous of receiving such other and further b as may be contemplated by the act creating the Tennessee Valley Authority and as within the scope and functions of the developments now being carried on by said Tennessee Valley Authority; Nor, Therefore, it it

RESOLVED by the City Council of the City of Asheville, that we hereby pe the Tennessee Valley Authority to give early consideration to such plans as may proper for the development in and around Asheville of such enterprises as are co templated and within the scope of the act creating the Tennessee Valley Authorit to the end that the citizenship of this section may enjoy such benefits and such as they are entitled to in the premises; and be it further

RESOLVED that the City Council of the City of Asheville express its assu to the Tennessee Valley Authority of its willingness and eagerness to cooperate the advancement of such measures and plans as may be appropriate for the relief desired; and be it further

RESOLVED that a copy of this resolution be forthwith transmitted by the of this Council to Dr. Arthur E. Morgan, Chairman Tennessee Valley Authority, Knoxville, Tennessee.

I move the adoption of the foregoing resolution, this the 25th day of October, 1934.

Joseph W. Little
COUNCILMAN

H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this 25th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

RESOLUTION PROVIDING FOR CASH REFUND OF CERTAIN 1929 TAXES

On motion of Councilman Ernest H. Miller, seconded by Councilman Plott Boyd, Resolution providing for cash refund of certain 1929 taxes declared by the Supreme Court of North Carolina to have been illegally levied was unanimously adopted.

RESOLUTION PROVIDING FOR CASH REFUND OF CERTAIN 1929 TAXES DECLARED BY THE SUPREME COURT OF NORTH CAROLINA TO HAVE BEEN ILLEGALLY LEVIED.

WHEREAS, the City Council of the City of Asheville passed a certain resolution on April 19, 1934 relating to the above matter; and

WHEREAS, said resolution also provided for the crediting of certain taxes erroneously paid by certain taxpayers in 1929, which crediting must be done in accordance with a special act known as Chapter 88 of the Private Laws of 1931: and

WHEREAS, in accordance with said resolution it appears that the amounts of taxes for the year 1929 illegally levied by the city and erroneously paid by certain taxpayers have been set up on the books and records of the city in accordance with said resolution; and

WHEREAS, it appears that originally about $37,375.85 of said taxes subject to refund or credit upon subsequent taxes has been paid to the city; and

WHEREAS, it appears that the amount of $31,553.60 has been refunded or credited by the city upon subsequent taxes, leaving a balance of $5,822.25: and

WHEREAS, it appears that of said amount of approximately $25,653.15 of same was paid from the operating fund of the City of Asheville, and the balance of $5,900.45 was paid from the debt service fund; and

WHEREAS, the 1929 taxes were payable 41 per cent to operating fund and 59 per cent to debt service fund; and

WHEREAS, there is still a balance which has not been refunded in the amount of $5,822.25;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Director of Finance be and he is hereby authorized and empowered to make cash refund in accordance with said resolution of April 19, 1934 and in accordance with Chapter 88 of the Private Laws of 1931 of the said balance of $5,822.25, or so much thereof as may be subject to cash refund, by payment of 41 percent of said amount from the operating fund of the City of Asheville, or such special fund thereof as may be available as determined by the Director of Finance, and 59 per cent from the debt service fund, so long as and to the extent of the availability of cash from such funds as may be determined by the Director of Finance.

I move the adoption of the foregoing resolution, this 25th day of October, 1934.

Ernest H. Miller
COUNCILMAN

SECONDED BY:

Plott Boyd
COUNCILMAN

Read, approved and adopted, this 25th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

ORDINANCE REPEAL ORDINANCE [illegible] RATES FOR WATER [illegible]

An ordinance to repeal ordinance #133 and to abrogate the rates set forth for water charges to circuses was on motion of Councilman Little, seconded by Councilman Miller, ordered referred to the City Manager with instruction to draft an ordinance and present same to the Council.

PATTON AVENUE OPENING & WIDENING
MRS. FANNIE BRYANT

A report from Mr. Blackstock in regard to resolution relieving property of Mrs. Fannie Bryant from assessments was read, in which he stated, in his opinion, the Council did not have authority to make individual cancellation of assessments within a given project or zone of benefits and damages.

RESOLUTION THAT CITY COUNCIL GO ON RECORD AS FAVORING ACTION BY THE GENERAL ASSEMBLY PERMITTING THE CITY COUNCIL TO ADJUST INEQUITABLE ASSESSMENTS.

Motion and resolution that the City Council go on record as favoring action by the General Assembly permitting the City Council to adjust inequitable assessments was moved by Councilman Joseph W. Little, seconded by Councilman Ernest H. Miller, voted on and carried.

MOTION AND RESOLUTION THAT THE CITY COUNCIL GO ON RECORD AS FAVORING ACTION BY THE 1935 GENERAL ASSEMBLY PERMITTING THE CITY COUNCIL TO ADJUST INEQUITABLE ASSESSMENTS.

Mr. Chairman, I move that, in the light of the opinion and report of the Corporation Counsel, action on the resolution be deferred; that the resolution be returned to the calendar and that it lie upon the table for such further discussion and action as the Council may in the future desire to take thereon; and be it

RESOLVED by the City Council of the City of Asheville that, in the opinion of the Council, the relief provided for in the resolution ought in fairness and justice to be granted along with like relief which has been petitioned for in other cases; that the Council withholds action on said resolution at this time because of a lack of legal power to grant same as appears by the opinion and report of the Corporation Counsel;

That in consideration of the premises petitioner, through her attorney, is hereby authorized to furnish copies of this resolution to the incoming members of the General Assembly from Buncombe County to the end that, if such representatives deem it wise, legislation may be adopted by the General Assembly of North Carolina to authorize and empower the City governing body to give such relief as the circumstances of this and similar cases may require.

I move the adoption of the foregoing motion and resolution, this 25th day of October, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted this 25th day of October, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

RESOLUTION AUTHORIZING SALE OF LOT ON EAST HAYWOOD ROAD
OPINION OF CORPORATION COUNSEL

was presented

A report from the Corporation Counsel in regard to resolution authorizing sale of lot on East Haywood Road, in which he stated that the form of resolution submitted does not fully comply with the law. A resolution changed in some respects, approved as to form was presented.

It was moved by Councilman Little, seconded by Councilman Crow, that the resolution be placed on the calendar. This motion carried.

RESOLUTION AUTHORIZING COMMITTEE TO HOLD HEARINGS, TO INVESTIGATE RATES AND CHARGES FOR WATER

Councilman Joseph W. Little offered a resolution to authorize the appointment of a committee with power to hold public hearings, subpoena witnesses, and generally investigate rates and charges for the use of water within the City of Asheville and the County of Buncombe, which was placed on the calendar, the Clerk to send copies to the members of the Council.

LETTER FROM STATE UTILITIES COMMISSION

A letter was read from Mr. Stanley Winborne, Chairman of State Utilities Commissioner to Councilman Plott Boyd, Chairman of Council Utility Committee, regarding the proposed reduction of light and power rates in the state which is to become effective November 1, 1934.

On motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, November 1, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

BEAUCATCHER ROAD TO TUNNEL ROAD-REQUEST FOR LIGHT

A petition from residents and tax payers requesting that a street light be installed at the intersection of an alley with a dirt road which leads from the Beaucatcher Road to the Tunnel Road, on the East side of Beaucatcher Mountain was presented and ordered referred to the City Manager.

U. S. CONSTITUTION PRESENTATION

Mrs. Corinne Melville and Miss Naoma Williams Brown appeared and presented the Council with an illuminated copy of the Constitution of the United States suitable framed in a revolving stand, and gave each member of the Council, the City Manager and the Corporation Counsel a copy of their song "Land of my Dreams", dedicated to the Land of the Sky. Responses to the presentations wer made by Mayor Wamboldt and Corporation Counsel C. E. Blackstock.

ORDINANCE #216- ADOPTION
TRAFFIC ORDINANCE

An ordinance to promote public order and safety for the regulation of the use of the Streets, Highways, Alley, Avenues, Passageways, Sidewalks, Public Walkways, etc. in the City of Asheville by vehicles of every kind and character, animals and pedestrians; and such order and safety as are in emergencies deemed necessary for the protection of the public, and the use of said streets, sidewalks and alleyways was presented on its third and final reading. Voting "aye", Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall, voting "no", Councilman Baumberger, the ordinance was declared passed on its third and final reading, to become effective on the 16th day of November, 1934.

ORDINANCE #216

AN ORDINANCE TO PROMOTE PUBLIC ORDER AND SAFETY FOR THE REGULATION OF THE USE OF THE STREETS, HIGHWAYS, ALLEYS, AVENUES, PASSAGEWAYS, SIDEWALKS, PUBLIC WALKWAYS, ETC., IN THE CITY OF ASHEVILLE BY VEHICLES OF EVERY KIND AND CHARACTER, ANIMALS AND PEDESTRIANS; AND SUCH ORDER AND SAFETY AS ARE IN EMERGENCIES DEEMED NECESSARY FOR THEPROTECTION OF THE PUBLIC, AND THE USE OF SAID STREETS, SIDEWALKS AND ALLEYWAYS.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

ARTICLE I

WORDS AND PHRASES DEFINED.

Section 1. Definition of Words and Phrases.

The following words and phrases when used in this ordinance, shall for the purpose of this ordinance, have the meanings respectively ascribed to them in this Article.

SUBDIVISION I

VEHICLES, TRAFFIC, ETC., DEFINED.

Section 2. (a) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.
(b) "Motor Vehicle." Every vehicle which is self-propelled.
(c) "Authorized Emergency Vehicle." Vehicles of the Fire Department, police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Director of Public Safety with the approval of the City Manager.

Section 3. (a) "Railroad". A carrier of persons or property upon cars, other than street cars, operated upon stationary rails.
(b) "Railroad Train." A steam engine, electric or other motor with or without cars operated upon a railroad.

Section 4. "Traffic." Pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singly or together while using any street for purpose of travel.

Section 5. "Right of Way." The privilege of the immediate use of the roadway.

Section 6. (a) "Stop"- when required means complete cessation of movement.
(b) "Stop" or "Stopping"-when prohibited means any stopping of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.
(c) "Standing." Any stopping of a vehicle whether occupied or not.
(d) "Park". The standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

SUBDIVISION II

PERSONS, ETC., DEFINED.

Section 7. (a) "Person." Every natural person, firm, copartnership, association or corporation.

(b) "Driver." Every person who drives or is in actual physical control of a vehicle.

(c) "Pedestrian." Any person afoot.

Section 8. "Police Officers." Every officer of the Municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violation of traffic regulations.

SUBDIVISION III

STREETS, ETC., DEFINED.

Section 9. (a) "Street" or "Highway". The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, a matter of right, for purposes of vehicular traffic.

(b) "Private Road" or "Driveway." Every way or place in private ownership an used for vehicular travel by the owner and those having express or implied permission fro the owner but not by other members of thepublic.

(c) "Roadway." That portion of a highway improved, designed or ordinarly used for vehicular travel.

(d) "Sidewalk." That portion of a street between the curb lines, or the late lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Section 10. "Intersection." The area embraced within the prolongation or connection of lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at approximately right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflic

Section 11. "Crosswalk." (a) That portion of a roadway ordinarily included within the prolongation or connection of the pateral lines of sidewalks at intersections, except suc prolonged or connecting lines from an alley across a street.

(b) Any portion of a roadway distinctly indicated for pedestrians crossing by lines or other markings on the surface.

Section 12. "Safety Zone." The area or space officially set apart within a roadway for t exclusive use of pedestrians and which is protected or is so marked or indicated by adequa signs as to be plainly visible at all times while set apart as a safety zone.

Section 13. (a) "Official Traffic Control Devices." All signs, signals, markings, and d not inconsistent with this act placed or erected by authority of a public body or offici having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

(b) "Official Traffic Signals." Any device, whether manually, electrically mechanically operated, by which traffic is alternately directed to stop and to proceed.

Section 14. (a) "Business District." The territory contiguous to a highway when fifty pe cent or more of the frontage thereon for a distance of three hundred feet or more is occupied by buil ings is use for business.

(b) "Residence District." The territory contiguous to a highway not comprisi business district when the frontage on such highway for a distance of three hundred feet more is mainly occupied by dwellings or by dwellings and building used for businedd.

ARTICLEII

POWER AND DUTIES OF POLICE DEPARTMENT; OBEDIENCE TO ACT.

Section 15. Required Obedience to Traffic Ordinance.

It shall be unlawful and constitute a misdemeanor for any person to do any a forbidden or fail to perform any act required in this ordinance.

Section 16. Police to Direct Traffic.

It shall be the duty of the Police Department of this city to enforce the pro visions of this Ordinance. Officers of the Police Department are hereby authorized to direct all traffic of the City of Asheville in accordance with the provisions of this Ordinance, provided that in the event of a fire or other emergency or to expedite traffi or safeguard pedestrians, officers of the Police or Fire Department may direct traffic, conditions may require notwithstanding the provisions of this Ordinance.

Section 17. Emergency Regulations.

The Director of Public Safety is hereby empowered to make and enforce regula necessary to make effective the provisions of this Ordinance and to make and enforce tempo regulations to cover emergencies or special conditions.

Section 18. Experimental Regulations.

For experimental purposes the Director of Public Safety may make temporary r regulating traffic or test traffic control devices under actual conditions of traffic. such experimental rule regulating traffic shall remain in effect for more than ninety (9 days.

Section 19. Obedience to Police.

It shall be a misdemeanor for any person wilfully to fail or refuse to compl with any lawful order or direction of any police officer.

Section 20. Public Employees to Obey Traffic Regulations.

The provisions of this Ordinance shall apply to the driver of any vehicle owned or used in the service of the United States Government, this State, County or City of Asheville, and it shall be unlawful for any said driver to violate any of the provisions of this Ordinance, except as otherwise permitted in this Ordinance.

Section 21. Exemptions to Authorized Emergency Vehicles.

(a) The provisions of this ordinance regulating theoperation, parking and standing of vehicles shall apply to authorized emergency vehicles, as defined in this ordinance, except as follows:

A driver when operating any such vehicle in an emergency may:

(1) Park or stand notwithstanding the provision of this ordinance.

(2) Proceed part a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

(3) Exceed the prima facia speed limits so long as he does not endanger life or property.

(4) Disregard regulations governing direction or movement or turning in specified directions so long as he does not endanger life or property.

(b) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

Section 22. Persons Propelling Push Carts or Riding Bicycles or Animals to Obey Traffic Regulations.

Every person propelling any push cart or riding a bicycle or an animal upon a roadway, and every person driving any animal, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this Ordinance with reference to the equipment of vehicles and except those provisions which by their very nature can have no application.

ARTICLE III

TRAFFIC SIGNS AND SIGNALS AND DUTIES OF THE DIRECTOR OF PUBLIC SAFETY.

Section 23. The Director of Public Safety, subject to the supervision of the City Manager, shall determine and designate the character and type of all official parking signs, traffic signs, traffic signals, business district signs, resident district signs, and quiet zone signs and safety zone signs, and is hereby authorized to place and maintain or cause to be placed and maintained such parking signs, traffic signs, traffic signals, business district signs, resident district signs, safety zone signs, and quiet zone signs at any point or place designated in this ordinance, and at such other intersections or places as he may deem in his discretion necessary for the protection and safety of the public.

Section 24. It shall be unlawful for the driver of any vehicle, or the operator of any vehicle propelled by human power, or any pedestrian to disobey the instructions of any parking sign, traffic sign, quiet zone sign, or safety zone sign, or traffic signal placed in accordance with the provisions of this ordinance, unless otherwise directed by Police Officer then on duty.

Section 25. Whenever traffic at any intersection is controlled by signal exhibiting colored lights, or the words "Go", and "Stop", said lights and terms shall be indicated as follows:

(a) Green, or "Go". Traffic facing the signal may proceed, except that vehicular traffic shall yield the right-of-way to pedestrians and vehicles within a cross-walk, or intersection, at the time such signal is exhibited.

(b) Red, or "Stop". Traffic facing the signal shall stop before entering the nearest cross-fork at the intersection, or at such other point as may be designated by duly authorized sign or signs.

Section 26. The driver of a vehicle and all other kinds of traffic as herein defined, intending to turn to the right or left at an intersection where traffic is controlled by signal or by Police Officer, shall proceed to make either of such turns with due care to avoid accident, unless otherwise directed by a Police Officer then on duty, or traffic sign.

Section 27. It shall be unlawful for any person to place or maintain or to display upon, or in view of any street, highway or roadway, any sign, signal or device which purports to be, or is an imitation of, or resembles an official traffic sign or signal, or which attemots to direct the movement of traffic, or which hides from view, or interferes with the effectiveness of any officially placed sign, signal or device, it is hereby declared to be a public nuisance and the Chief of Police is hereby ordered to remove the same or casue the same to be removed.

Section 28. It shall be unlawful for any person to deface, injure, knock down, or remove posted, painted, or erected signs or signals provided by this Ordinance.

Section 29. The Director of Public Safety, subject to the supervision of the City Manager, shall determine and designate the highways, streets, and roadways that are to be through highways and shall erect or cause to be erected signs as required by the laws of North Carolina and these signs shall be placed, painted and posted as provided and authorized by this ordinance. It shall be unlawful for any person to disobey any sign so placed.

Section 30. The Director of Public Safety is Authorized to Designate Cross-Walks.

The Director of Public Safety is hereby authorized to designate and shall thereafter maintain or cause to be maintained, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

Section 31. The Director of Public Safety Authorized to Establish Safety Zones.
The Director of Public Safety is hereby authorized to establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

Section 32. The Director of Public Safety Authorized to Mark Traffic Lanes.
The Director of Public Safety is hereby authorized to mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the provisions of this Ordinance.

Section 33. The Director of Public Safety to Determine and Mark "No Left Turns."

The Director of Public Safety is hereby authorized to determine thos intersections at which drivers of vehicles shall not make a right, left or U turn and shall place proper signs at such intersections.

Section 34. Zone of Quiet.
(a) All of the territory within two hundred feet of the premises of each hospital in this city of Asheville is hereby created and established as a Zone of Quiet. The Director of Public Safety is hereby authorized to erect and maintain within this area such signs and markings as are necessary to designate it as a zone of quiet.

(b) The Director of Public Safety may temporarily establish a zone of quiet upon any street where a person is seriously ill, if requested to do so by the written statement of at least one registered physician certifying to its necessity. Said temporary zone of quiet shall embrace all territory within a radius of two hundred (200) feet of the building occupied by the person named in the request of the physician. Said temporary zones of quiet shall be designated by the Director of Public Safety by placing at a conspicuous place in the street a sign or marker bearing the words, "Quiet Zone."

(c) No person operating a motor vehicle within any designated and signed zone of quiet shall sound the horn or other warning device of said vehicle except in an emergency, nor shall any person make any loud or unusual noise or play any music within or upon any of the streets, alleys or public places in any such zone of quiet.

(d) The Director of Public Safety may establish a zone of quiet upon any street or territory within 200 feet of any church or building used as a place of worship, said zone of quiet shall be designated by an appropriate sign or street marking bearing the words "Quiet Zone".

(e) Blowing of Horn or Racing of Motor. The repeated sounding of horn or the racing of motor of any vehicle which tends to disturb the peace, where there is an assemblage of people or where meetings are being held shall be termed a nuisance and is hereby prohibited.

Section 35. Play Streets.
The Director of Public Safety may declare any street or part thereof a "play street" and place appropriate signs or decrees in the roadway indicating the same and when so declared and indicated no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business, or whose residences are within such closed area and then any said driver shall exercise the greatest care in driving upon any said street or portion thereof.

Section 36. Streets Reserved for Coasting.
(a) On those days when conditions are suitable for coasting on snow or ice no person shall drive a vehicle upon any street or parts of streets when signs are erected giving notice thereof.
(b) This section shall not prevent the use of any streets by drivers of vehicles having business, or whose residences are, within such reserved areas but any said drivers shall exercise the greatest care in driving upon any said street or portion thereof at such time.

ARTICLE IV

ACCIDENTS.

Section 37. Accidents involving Death or Personal Injuries.
(a) The driver of any vehicle involvec in an accident resulting in damage to property shall immediately stop such vehicle at the scene of such accident and any person violating this provision shall upon conviction be punished as provided by the state law.

(b) The driver of any vehicle involved in an accident resulting in damage to property shall immediately stop such vehicle at the scene of such accident and any person violating this provision shall upon conviction be punished as provided by the state law.

(c) The driver of any vehicle involved in any accident resulting in injury or death to any person or damage to property shall also give his name, address, operator's or chauffeur's license and the registration number of his vehicle to the person struck or report to police officer or to the driver or occupants of any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary or if requested by the injured person and it shall be unlawful for any person to violate this provision.

Section 38. Accident Involving Damage to Vehicle.
The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of Section 39. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor.

Section 39. Duty to Give Information and Render Aid.

The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person, shall give his name, address and the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of, or person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying, or the makingof arrangements for the carrying of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

Section 40. Duty Upon Striking Unattended Vehicle.

The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of thename and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of thedriver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof and shall, within twenty-four hours forward to the Police Department a similar notice which shall also give the registration number of the vehicle so struck.

Section 41. Duty Upon Striking Fixtures Upon a Highway.

The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available, exhibit his operator's or chauffeur's license and shall make report of such accident when and as required in Section 42 hereof.

Section 42. Duty to Report Accidents.

(a) The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extend of $50.00 or more shall, within 24 hours after such accident, forward a written report of such accident to the Police Department

(b) The Police Department may require any driver of a vehicle involved in an accident of which report must be made as provided in this section to file supplemental reports whenever the original report is insufficient in the opinion of the Police Department and may require witnesses of accidents to render reports to the Police Department.

Section 43. Police to Keep and Use an Accident Record File.

(a) The police shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location.

(b) As the accidents at any particular location become numerous, the police shall study such accidents and inform the Director of Public Safety of their findings and conclusions.

Section 44. Police to Keep and Use a Driver File.

(a) The police shall maintain a suitable file in which a record of all traffic accidents, warnings, arrests, convictions and complaints are filed alphabetically under the name of the driver concerned.

(b) The police shall study the cases of all drivers having bad records, attempt to discover the causes and take whatever steps are lawful and reasonable to eliminate such cuses or to have thelicenses of such persons to drive suspended or revoked.

Section 45. Police to Submit Annual Traffic Safety Report.

The police shall submit a traffic safety report annually in the month of July to the Director of Public Safery covering:

1. The number of traffic accidents, the number of persons killed and injured and other pertinent traffic accident data.

2. The number of traffic accidents investigated, the number of hazardous locations studied, the number of drivers with bad records interrogated andother pertinent data on the safety activitied of the police.

3. The plans and recommendations for future traffic safety activitied.

ARTICLE V.
PEDESTRIANS' RIGHTS AND DUTIES.

Section 46. Pedestrians Subject to Traffic Control Signals.

Pedestrians shall be subject to traffic control signals at intersections as heretofore declared in this act, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions as hereinafter stated.

Section 47. Pedestrians' Right of Way at Crosswalks.

(a) Where traffic control signals are not in place or in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to

as yield, to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this article.

(b) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

Section 52. Crossing at Other than Crosswalks.

(a) Every pedestrian crossing a roadway at any point other than within any marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

(c) Between adjacent intersections at which traffic control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

(d) Notwithstanding the provisions of this section every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacited person upon a roadway.

Section 53. Pedestrians to Use Right Half of Crosswalks.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

Section 54. Pedestrians Soliciting Rides.

No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

ARTICLE VI
STOPPING, STANDING AND PARKING

Section 55. It shall be unlawful for the driver of a vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with traffic, or in conflict with the direction of a police officer or traffic signal:

(a) within an intersection.
(b) On a crosswalk.
(c) Between a safety zone and the adjacent curb, or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless otherwise indicated by signs or marks.
(d) Within twenty-five feet of the lineof any crosswalk as hereinbefore provided.
(e) Within 25 feet of the driveway or entrance of any fire station.
(f) Within fifteen feet of any fire hydrant.
(g) In front of any private driveway.
(h) On any improved sidewalk
(i) Alongside of or opposite any street excavation or obstruction, when such stopping or parking shall obstruct traffic.
(j) On the roadway side of any vehicle stopped or parked at the edge of curb of a street, highway or roadway, except in such instances as double parking may be allowed by the regulationsof this ordinance.
(k) At any place where official traffic signs have been erected prohibiting standing or parking.

Section 56. The Director of Public Safety, subject to the approval of the City Manager, shall have authority from time t time to determine, designate and locate passenger zones and loading zones on the highways, street and roadways within the City of Asheville, and shall direct and maintain, or cause to be maintained, appropriate signs indicating the same.

Section 57. It shall be unlawful for the driv er of any vehicle to stop, stand or park said vehicle for any period of time longer than is necessary for the expeditious loading or unloading of passengers or freight in any place marked as a passenger zone, and it shall also be unlawful for the driver of any vehicle to stop, stand or park said vehicle for a period of time longer than is necessary for the expeditious loading or unloading of passengers or material in any place marked as a loading zone; and in no case shall a stop for loading and unloading of materials exceed the space of thirty minutes, unless specially permitted by permit issued by said Director of Public Safety.

Section 58. The Director of Public Safety, subject to the control and approval of the City Manager, is hereby authorized to require and establish bus stops and taxicab stands on such public streets, highways and roadways in such places, and in such numbers as he shall determine to be of the greatest benefit and convenience to the public and every such bus stop and taxicab stand shall be designated by appropriate sign.

Section 59. It shall be unlawful for the driver of any vehicle, other than a bus, to stand or park in an officially designated bus stop, or for any vehicle, other than a taxicab, to stand or park in an officially designated taxicab stand.

Section 60. It shall be unlawful for the driver of any bus or taxicab, to stand or park upon any highway, street or roadway, in the business district, in any place other than at an officially designated bus stop or taxicab stand, except this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations, at any place for the purpose of, and while actually engaged in loading or unloading passengers.

Section 61. It shall be unlawful for the driver to stop, stand or park any vehicle upon any street, highway, roadway or alley in such a manner, or under such conditions, as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily for the purpose of actually loading or unloading passengers, or when necessary in obedience to traffic regulationsor traffic signal, or upon direction of traffic officer.

Section 62. Except when necessary, in obedience to traffic regulation or traffic signal, or the direction of a traffic officer, it shall be unlawful for the driver of a vehicle to stop, stand or park such vehicle in a highway, street, or roadway other than parallel with the edge of the roadway, street or highway, headed in the direction of traffic, and with the curbside wheels of the vehicle within six inches of the edge of the road or curb, except as hereinafter provided as follows:

(a) Upon such street, highways or roadways as may have been marked or signed for angle parking, vehicles shall be parked at the angle of the curb indicated by such marks or signs.
(b) In places where, and at hours when, stopping for loading or unloading of merchandise or material is permitted, vehicles used for the transportation of merchandise or material may back into the curb for the purpose of discharging or taking on loads to remain for a period of more than thirty minutes.

Section 63. The Director of Public Safety, subject to the supervision of the City Manager, is hereby authorized to issue in special cases, where he deems it necessary, a permit for any vehicle used to transport merchandise or material to park same back to the curb for a longer period than hereinbefore provided; provided, however, that said permit shall definitely specify the time to be permitted, and that the driver of such vehicle shall have in his possession at the time and place of unloading such permit.

Section 64. No person shall park a vehicle in a business district, as defined in this ordinance, between the hours of two A. M. and 6 A. M.

Section 65. Vehicles may be parked without lights between sundown and sunup in the resident district where and when there is sufficient light to render the said vehicle clearly discrenible at a distance of 200 feet along the street from either direction.

ARTICLE VII
OPERATION OF VEHICLES.

Section 66. Speed Regulations.

Persons driving a vehicle on a street, highway or roadway shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the highway, street or roadway and of any condition then existing, and no person shall drive any vehicle upon a highway, street or roadway at such a speed as to endanger the life, limb or property of any person and in no event at a rate of speed greater than set out below:

(a) Fifteen miles an hour in business districts where traffic signals are not maintained.
(b) Twenty miles an hour in business districts where traffic control signals are maintained.
(c) Twenty miles an hour in a residential district, as defined in this ordinance.
(d) Thirty miles an hour on a through highway, as defined in this ordinance.

Section 67. The prima facie speed limitations set forth in this article shall not apply to authorized emergency vehicles when operated in emergencies and the drivers thereof sound audible signal by bell, siren or exhaust whistle. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive tiwh due regard for the safety of all persons using the street, nor shall it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

Section 68. Drive on the Right Side of Roadway.

Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement.
2. When the right half of a roadway is closed to traffic while under construction or repair.
3. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
4. Upon a roadway designated and sign posted for one way traffic.

Section 69. Passing Vehicles Proceeding in Opposite Direction.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right and upon roadways having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

Section 66. Overtaking a Vehicle on the Left.

The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of theovertaken vehicle.

(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Section 67. When Overtaking on the Right is Permitted.

(a) The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

(b) The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right on a roadway with unobstructed pavement of sufficient width for four lines of moving traffic when such movement can be made in safety. Upon a roadway without adjacent curbs no person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.

Section 68. Limitations on Overtaking on the Left.

(a) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without the interference with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.

(b) No vehicle shall in overtaking and passing another vehicle or at any other time be driven to the left side of the roadway under the following conditions:

1. When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed.
2. When approaching within 100 feet of any bridge, viaduct or tunnel or when approaching within 100 feet of or traversing any intersection or railroad crossing.
3. Where official signs are in place directing that traffic keep to the right, or a distinctive center line is marked, which distinctive line also directs traffic.

Section 69. Turning at Intersections.

The driver of a vehicle intending to turn at an intersection shall do as follows:

(a) Both the approach for a right turn and a right turn shall be made as close as practical to the right hand curb or edge of the roadway.

(b) Approach for a left turn shal be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(c) Approach for a left turn from a two way street into a one way street shall be made in that portion of theright half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one way street into a two way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

Section 70. Vehicles Approaching or Entering at Intersection.

(a) The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different highway.

(b) When two vehicles enter an intersection from different highways at the same time the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

(c) The foregoing rules are modified at through highways and otherwise as hereinafter stated in this article.

Section 71. Vehicle Turning Left at Intersection.

The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver having so yielded and having given a signal when and as required by this act may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right of way to the vehicle making the left turn.

Section 72. Vehicle Entering Through Highway or Stop Intersection.

(a) The driver of a vehicle shall stop as required by this act at the entrance to a through highway and shall yield the right of way to other vehicles which have entered the intersection fom said through highway or which are approaching so closely on said through highway as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said through highway shall yield the right of way to the vehicle so proceeding into or across the through highway.

(b) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one or more entrances thereto although not at part of a through highway and shall proceed cautiously yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard but may then proceed.

Section 73. Vehicle Entering Highway from Private Road or Driveway.

The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right of way to all vehicles approaching on said highway.

Section 74. Stop When Traffic Obstructed.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk and on the right half of the roadway to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians notwithstanding any traffic control signal indication to proceed.

Section 75. Unattended Motor Vehicle.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key and effectively setting the brake thereon, and when standing upon any perceptible grade without turning the front wheels into the curb or side of the highway.

Section 76. Obstruction to Driver's View or Driving Mechanism.

(a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(b) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

Section 77. Following Fire Apparatus Prohibited.

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

Section 78. Crossing Fire Hose.

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway or street car track, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

Section 79. Permits for Parades and Processions.

No funeral, procession, or parade containing two hundred (200) or more persons or fifty (50) or more vehicles excepting the forces of the United States Army or Navy, the military forces of this state, and the forces of the police and fire departments shall occupy, march or proceed along any street except in accordance with a permit issued by the Director of Public Safety and such other regulations as are set forth.

Section 80. Limitations on Turning Around.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

Section 81. Limitations on Backing.

The driver of a vehicle shall not back the same into an intersection or over a crosswalk or otherwise back the vehicle unless such movement can be made in safety.

Section 82. Emerging from Alley or Private Driveway.

The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

Section 83. Vehicles Shall not be Driven on Sidewalk.

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

Section 84. Clinging to Moving Vehicles.

No person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall attach himself or his vehicle to any moving vehicle upon any roadway.

Section 85 Riding on Handle Bars Prohibited.

The operator of a motor cycle or bicycle when upon a street shall not carry any other person upon the handle bar, frame or tank of any shch vehicle, nor shall any person so ride upon any such vehicle.

Section 86. Use of Coasters, Roller Skates, and Similar Devices Restricted.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device shall go upon any roadway except while crossing a street on a crosswalk and except upon streets set aside as play streets when and as authorized by this ordinance.

Section 87. Lights on Parked Vehicles

(a) Whenever a vehicle is lawfully parked on a street during the time between one-half hour after sunset and one-half hour before sunrise and there is sufficient light to reveal any person within a distance of 200 feet upon such street no lights need be displayed upon such parked vehicle.

(b) When during said times or at any other time there is not sufficient light upon a street to reveal a person at a distance of 200 feet a parked vehicle shall be equipped with one or more lamps which shall exhibit a white light on the roadway side visible for a distance of 200 feet to the front of the vehicle and a red light visible from a distance of 200 feet to the rear. Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

ARTICLE VIII
ADMINISTRATION.

Section 88. Reports of Violations.

(a) The Director of Public Safety shall keep a record of all violations of this ordinance or of the State Vehicle Act of which any person has been charged, together with a record of the final dispositions of all such alleged offenses. This record shall accumulate until a five year period is covered and from that time on the record shall be maintained complete for the most recent five year period.

(b) All forms for records of violations and for records of accidents and for notices of violations, informations, summonses, warrents and arrests provided by the Director of Public Safety shall be serially numbered. A monthly and annually written record shall be kept available to the public showing the disposal of all such forms.

(c) The Director of Public Safety shall make a written report monthly and annually to the mayor and to the City Council fully itemized as to the number of notices informations, summonses, warrants issued and arrests made in connection with the enforcement of this ordinance or of the State Vehicle Act and of the final disposal or then status of all such cases.

ARTICLE IX.
PENALTIES.

Section 89. Except as to those provisions and sections where a penalty is fixed by statute any person, firm or corporation who shall be convicted of violating any provision of this Traffic Ordinance shall be subjected to a penalty of five ($5.00) Dollars for each and every offense.

Section 90. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portionsof this ordinance.

Section 91. This ordinance shall be known as the Traffic Code of the City of Asheville and may be printed separately for distribution to the public

ARTICLE X.
CONSTRUCTION OF ORDINANCE.

Section 92. Any ordinances conflicting with this ordinance are hereby repealed, and the following ordinances are specifically repealed:

An Ordinance Regulating the Speed over Elkin Street Bridge and Prescribing the Loads of Vehicles Crossing said Bridge (Minute Docket book 16, page 49

An Ordinance Regulating Signaling by the Drivers of Vehicles in the Public Streets in the City of Asheville

An Ordinance Designating Safety Zones at Street Crossings within the Congested District of said City and Regulating the Use of Same (Minute Docket book 17, pages 426, 427, 428, 429)

Public Service Automobile Parking Ordinance (Minute Docket book 17, pages 50 and 51)

An Ordinance Regulating Traffic and Parking on the Public Streets of the City of Asheville (Minute Docket book 17, pages 119, 120, 121, 122)

An Ordinance Amending an Ordinance Regulating Traffic and Parking on the Public Streets of the City of Asheville (Minute Docket book 17, pages 145 and 146)

An Ordinance Prohibiting Owners or Operators of Public Service Automobiles from Parking More Than Two of Such Automobiles Belonging to Any One Person Firm or Corporation At Any Time on the East Side of Broadway in the City of Asheville (Minute Docket book 18, page 11)

An Ordinance Amending that Ordinance Regulating the Operation of Motor Buses in the City of Asheville (Minute Docket Book 18, page 58)

An Ordinance Regulating Parking of Motor Vehicles in the City of Asheville (Minute Docket book 17, page 276)

An Ordinance to Regulate the Operation of Motor Buses within the City of Asheville (Minute Docket Book 17, pages 422, 423, 424)

An Ordinance to Amend the Motor Bus Ordinance (Minute Docket Book 17, page 433)

An Ordinance Regulating Traffic, the Operation of Vehicles of All Description and the Conduct of Pedestrians and Chauffeurs of Public Service Automobiles with the City of Asheville (Minute Docket book 18, page 311)

An Ordinance Amending the Ordinance Regulating Traffic within the City of Asheville (Minute Docket Book 17, page 427-430)

An Ordinance Prohibiting Parking on North Park Square for a Longer Period than Thirty Minutes (Minute Docket book 17, page 117)

An Ordinance Entitled (An Ordinance Amending the Traffic Regulations of the City of Asheville, particularly the Regulations in Regard to Parking on Pearl Street (Minute Docket 18, page 119)

An Ordinance to Amend "An Ordinance to Regulate the Operation of Motor Buses within the City of Asheville (Minute Docket 18, page 102)

An Ordinance Prescribing the Rules and Regulations for the Cleaning of the Business District of Asheville at Night (Minute Docket 18, page 160)

Ordinance Amending Ordinance Regulating Traffic, Operation of Vehicles of All Description and the Conduct of Pedestrians and Chauffeurs of Public Service Automobiles within the City of Asheville (Minute Docket 18, page 364)

An Ordinance Regulating the Rate of Speed for Steam Railroads within the City of Asheville (Minute Docket 19, page 68)

Ordinance Regulating Parking Near Public Parks (Minute Docket 19, page 87)

An Ordinance Prohibiting Discharging or Receiving Passengers by Public Service Vehicles within Forty Feet of Pack Square (Minute Docket 19, page 157)

Amendment to Ordinance Regulating Traffic in the City of Asheville (Minute Docket book 19, page 234)

An Ordinance Amending the Ordinance Regulating Traffic, the Operation of Vehicles of all Descriptions and the Conduct of Pedestrians and Chauffeurs of Public Service Automobiles within the City of Asheville (Minute Docket book 19, page 495)

An Ordinance Amending the Ordinance Regulating Traffic, the Operation of Vehicles of All Description and the Conduct of Pedestrians and Chauffeurs of Public Service Automobiles: said Amendment Prohibiting Parking on South Lexington Avenue between Patton Avenue & Aston St. (Minute Docket book 23, page 44)

An Ordinance Regulating Traffic, thr Operation of Vehicles and Conduct of Pedestrians on Certain Streets within the City of Asheville (Minute Docket Book 20, page 242)

Ordinance #65
Ordinance #72
Ordinance #81
Ordinance #88
Ordinance #89
Ordinance #113
Ordinance #114
Ordinance #122
Ordinance #126
Ordinance #141
Ordinance #143
Ordinance #151
Ordinance #160
Ordinance #164
Ordinance #185
Ordinance #186
Ordinance #192
Ordinance #195

1934. I move the adoption of the foregoing ordinance, this the 18th day of October,

Ernest H. Miller
COUNCILMAN

SECONDED BY:

Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this the 1st day of November, 1934, to become effective according to statute on the 16th day of November, 1934.

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:
J. E. Blackstock
CORPORATION COUNSEL

E. G. Thompson
CITY CLERK

Councilman Little moved, seconded by Councilman Crow, that the Council reconsider the resolution authorizing the sale of a certain lot known as Lot 117, Sheet 8, Ward 4. This motion carried and a vote was taken on the adoption of the resolution, but did not carry.

It was moved by Councilman Little, seconded by Councilman Westall that a committee be appointed to meet with Mr. E. S. Draper, Director of Land Planning and Housing for the T. V. A., who will be in Asheville to study means whereby an airport could be made to fit in with T. V. A. plans. Mayor Wamboldt appointed Councilmen Brookshire, Westall and Boyd to constitute this committee.

A motion of Councilman Little, seconded by Councilman Crow, that a committee be appointed for the purpose of negotiating for the sale of lot 117, on East Haywood Road and make a report back to the Council, on being put to a vote did not carry.

Resolution providing for contracts with Asheville Packing Company, Inc,, and J. A. Baker, Trading and doing business as J. A. Baker Packing Company, to assume City's liability for abattoir service under its contract with F.E.R.A. dated August 10, 1934, was on motion of Councilman Ernest H. Miller, seconded by Councilman Jack Westall, rejected.

An amendment offered by Councilman Baumberger, seconded by Councilman Little that the resolution be amended by adding "The party of the second part further agrees to maintain, equip and porvide such abattoir and abattoir service as shall be necessary to meet all requirements of F.E.R.A. and/or the State of North Carolina and upon failure of the party of the second part to meet such requirements this contract shall become null and void on being put to a vote failed to carry.

RESOLUTION PROVIDING FOR CONTRACTS WITH ASHEVILLE PACKING COMPANY, INC. AND J. A. BAKER, TRADING AND DOING BUSINESS AS J. A. BAKER PACKING COMPANY, TO ASSUME CITY'S LIABILITY FOR ABATTOIR SERVICE UNDER ITS CONTRACT WITH F.E.R.A. DATED AUGUST 10, 1934.

WHEREAS, resolution was passed by the City Council of the City of Asheville on the 25th day of October, 1934 authorizing the Mayor and City Clerk to sign a contra with the Asheville Packing Company, Inc. for said company to assume the liability of the City of Asheville in a certain contract entered into between the City of Asheville and the F.F.R.A. authorized by resolution of August 10, 1934, insofar as rendering abat service provided for under said resolution and contract, and providing for the executi of a bond in the sum of $2,000.00 for the faithful performance thereof: and

WHEREAS, the said contract so authorized was never signed by the City of Asheville, and in the meantime a committee of the City Council has recommended that th contract be divided so that the Asheville Packing Company, Inc. should perform the sai abattoir service provided by the said contract between the City of Asheville and F.E. on Mondays, Tuesdays, Wednesdays and Thursdays of each week, and that J. A. Baker, trading as J. A. Baker Packing Company, should perform similar service on Fridays and Saturdays of each week.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE

That the Mayor and City Clerk be and they are hereby authorized and empower to sign:

(a) An agreement with the Asheville Packing Company, Inc. whereby the said Asheville Packing Company, Inc. agrees to assume all of the duties pertaining to abatt service and perform such duties faithfully on Mondays, Tuesdays, Wednesdays, and Thursdays of each week, in accordance with a contract entered into between the City of Asheville and the F.E.R.A. authorized by resolution of August 10, 1934, and when the Asheville Packing Company, Inc. shall have executed to the city a solvent bond in the amount of Two Thousand ($2,000.00) Dollars: and

(b) That the said Mayor and City Clerk be and they are hereby further auth and empowered to enter into a contract with J. A. Baker, trading and doing business a J. A. Baker Packing Company, whereby said J. A. Baker shall agree to assume all the liability and duties of the City of Asheville pertaining to the rendering of abattoir service on Fridays and Saturdays of each week, in accordance with a contract heretofo entered into between the City of Asheville and the F.E.R.A. authorized by resolution August 10, 1934, and when said J. A. Baker shall have executed a performance bond in amount of Two Thousand ($2,000.00) Dollars.

I move the adoption of theforegoing resolution, this 1st day of November,

SECONDED BY: Ernest H. Miller COUNCILMAN
Jack Westall COUNCILMAN

Read, approved and adopted, this 1st day of November, 1934.

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Wickes Wamboldt MAYOR
E. G. Thompson CITY CLERK

November 1, 1934

It was moved by Councilman Brookshire, seconded by Councilman Westall that Mayor Wickes Wamboldt and City Manager George L. Hackney be delegated to represent the City of the United States Conference of Mayors in Chicago November [illegible]. The motion carried.

A resolution authorizing City Manager to make limited disbursements from petty cash fund was introduced by Councilman Jack Westall, seconded by Councilman Ernest H. Miller, and ordered placed on the calendar.

An ordinance providing for water rates and charges for delinquent, [illegible] exhibitions, and repealing Ordinance #[illegible], was introduced and passed on its first reading, voting "Aye" Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall, voting "No" Councilmen Baumberger.

On motion of Councilman Little, seconded by Councilman Westall, An Ordinance authorizing the use of a "Stone Bottle" for milk by any person, firm, corporation or association engaged in handling milk andmilk products in the City of Asheville was [illegible] tabled, and the report of Dr. Sevier be read at the next meeting.

On motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, November [illegible], 1934 [illegible] P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

The resignation of Mr. L. J. Quigley as chairman of the City Boxing Commission was read and on motion of Councilman Miller, seconded by Councilman Westall, accepted with regrets.

November [illegible], 1934

To the Mayor and Members of
The City Council,
Asheville, N. C.

Gentlemen:

It has become necessary for me to change my business and because of this I must ask you to accept my resignation as chairman of the City Boxing Commission.

Regretting the necessity of having to make this action, I remain

Very truly yours,
L. J. Quigley.

LJQ:FC

The complaint of Mrs. Martha E. Weaver that three families of negroes have moved into houses on Depot Street and her request that the Zoning Ordinance No. 207 be enforced was presented and on motion of Councilman Westall, seconded by Councilman Miller unanimously ordered referred to the Corporation Counsel.

Asheville, N. C. November 5, 1934

Honorable George L. Hackney, City Manager
City of Asheville,
Asheville, N. C.

Dear Mr. Hackney:

I desire to enter a complaint because of the fact that three families of negroes have recently been placed in three separate houses on Depot Street, in the city of Asheville, which said houses have recently been occupied by white people. As I understand it, this is in violation of a recent ordinance of the City of Asheville known as the Zoning Ordinance, and No. 207, adopted about April, 1934.

The purpose of this communication is to request that the ordinance be enforced and if a violation is found to exist that correction be made immediately. I am basing this complaint m the further ground that I own white property immediately across the street from the houses referred to above, and it is beacuse of a likely depreciation of my property that I make this complaint and ask that the law be complied with.

Very truly yours,
Mrs. Martha E. Weaver

Mr. James Woodward appeared before the Council and stated that the city had some 10,000 brick of rather a peculiar color in their supply yard that they had had for years, that he had a contract calling for this kind of brick and on account of the color it was impossible for him to secure them from the manufacture and asked that the City would sell for cash or exchange for other building material or dher brick this peculiar lot of brick.

A motion was made by Councilman Miller, seconded by Councilman Westall and adopted that the City Manager be authorized to make such disposition of the request as he sees fit.

The request of Moses Davis, colored, that the privilege tax on employment agencies be reduced was on motion of Councilman Crow, seconded by Councilman Westall, ordered referred to the City Manager

An Ordinance providing for water rates and charges to circuses, shows or exhibitions and repealing Ordinance #133 was presented on its second reading, Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall voted "aye" and Councilman Baumberger voted "no", the ordinance was declared passed on it second reading.

Councilman Baumberger complained that the watering trough at the corner of Clingman Avenue and Depot Street had been removed, and made a motion, which was seconded by Councilman Crow that the watering trough be put back. A substitute motion made by Councilman Little, seconded by Councilman Miller that the matter be referred to the City Manager for such action as he sees fit carried.

A resolution to authorize the appointment of a committee with power to hold public hearings, subpoena witnesses, and generally investigate rates and charges for the use of water within the City of Asheville and the County of Buncombe was offered for consideration and ordered placed on the calendar for November 15th.

Councilman Joseph W. Little, Chairman, submitted a report of the Airport Committee, in which he recommended that the City Council take immediate steps in conjunction with the Board of County Commissioner to acquire a suitable site for an airport.

REPORT OF AIRPORT COMMITTEE

TO THE CITY COUNCIL:

Pursuant to my report to the City Council on Thursday, November 1st, Mr. E. S. Draper, Director of Housing and Land Planning of the TVA, Knoxville, accompanied by his assistant, Mr. R. F. Leonard, came to Asheville last Friday and spent Friday afternoon and Saturday here with the Committee inspecting various prospective airport sites. We visited some eight or ten in number, including one new site at Alexander, and also including the site known as County Home site, recetly suggested by Mr. Harry B. Parker of the Board of County Commissioners. Considerable study was made of the site on the Black Mountain Highway designated as the Charles H. Neal site, and it may be that the Council will desire to have a further investigation of this tract. This would entail some expense, however, as surveys would have to be made and other details gone into.

In this connection, I desire to call to the attention of the council the fact that between thirty and forty prospective sites in Buncombe County have been examined with a great deal of care and the Committee is in full possession of data

sufficient to make an individual report on any of them at any time. Only one new site has been suggested which has not been examined, and this is a site near Weaverville in Reems Creek Township and between the Weaverville Library and the French Broad River.

It is my opinion, and in this opinion I am supported by TVA officials, officials of the Army Air Corps, and Department of Commerce at Washington, that the City Council, in cooperation with the Board of County Commissioners, should take immediate steps to acquire by actual ownership or lease the land necessary for an airport site. Wherever the port may be located, 250 to 300 acres of land will be required. I am confident that with the various branches of the Federal Government which have been enlisted in support of this project, that immediately after the end of this year we will be able to go forward with this development under some form of Federal aid, provided the site and location are fixed and determined in the meantime.

I therefore recommend that the City Council take immediate steps, in conjunction with the Board of County Commissioners, to acquire a suitable site for this important project.

Respectfully submitted,
Joseph W. Little
Chairman Asheville Airport Committee

Nov. 8, 1934

A resolution providing for the procuring of options on land for an airport for the City of Asheville was offered and ordered held over until next meeting.

A resolution authorizing the City Manager to make disbursements from the contingent fund for expenditures not provided for by departments or dherwise was on motion of Councilman Chas. F. Crow, seconded by Councilman Jack Westall, adopted.

RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE DISBURSEMENTS FROM THE CONTINGENT FUND FOR EXPENDITURES NOT PROVIDED FOR BY DEPARTMENTS OR OTHERWISE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager be and he is hereby authorized to make expenditures in amounts not exceeding One Hundred ($100.00) Dollars for the payment of such items, claims or expenses as may be presented to him, and the payment of which if not provided for in some department of the budget. It is the intention of this resolution to authorize the payment by the City Manager of any amount for any project, claim or expense not exceeding One Hundred ($100.00) Dollars where no other provision is made for such payment, but it is not the intention of the resolution to authorize the City Manage to make repeated payments for any one item, claim or expense out of the contingent fund.

I move the adoption of the foregoing resolution, this 8th day of November, 1934.

Chas F. Crow
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this 8th day of November, 1934.

Wilkes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

On motion of Councilman Arnest H. Miller, seconded by Councilman Jack Westall, Resolution providing for cash refund of certain 1929 taxes declared by the Supreme Court of North Carolina to have been illegally levied was adopted.

RESOLUTION PROVIDING FOR CASH REFUND OF CERTAIN 1929 TAXES DECLARED BY THE SUPREME COURT OF NORTH CAROLINA TO HAVE BEEN ILLEGALLY LEVIED.

WHEREAS, the City Council of the City of Asheville passed a resolution on the 25th day of October, 1934, which resolution contained certain errors as to calculation, and for the correction thereof this resolution is passed: and

WHEREAS, the City Council of the City of Asheville passed a certain resolution on April 10, 1934 relating to the above matter: and

WHEREAS, said resolution also provided for the crediting of certain taxes erroneously paid by certain taxpayers in 1929, which crediting must be done in accordance with a special act known as Chapter 88 of the Private Laws of 1931: and

WHEREAS, in accordance with said resolution it appears that the amou of taxes for the year 1929 illegally levied by the city and erroneously paid by certain taxpayers have been set up on the books and records of the city accordance with said resolution: and

WHEREAS, it appears that originally about $37,375.85 of said taxes subject to refund or credit upon subsequent taxes has been paid to the city and

WHEREAS, it appears that the amount of $25,653.15 has been refunded credited by the city upon subsequent taxes, leaving a balance of $11,722.70 and

WHEREAS, it appears that the said amount of $25,653.15 was paid from operating fund of the City of Asheville: and

WHEREAS, the 1929 taxes were payable 30.20 per cent to operating fund and 69.80 per cent to debt service fund: and

WHEREAS, as of July 1, 1934 there was a balance which had not been r funded in the amount of $11,722.70.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Director of Finance be and he is hereby authorized and emp to make cash refund in accordance with said resolution of April 19, 1934 a accordance with Chapter 88 of the Private Laws of 1931 of the said balance $11,722.70, or so much thereof as may be subject to cash refund, by payment 30.20 percent of said amount from the operating fund of the City of Asheville or such special fund thereof as may be available as determined by the Direc of Finance, and 69.80 percent from the debt service fund, so long as the e of the availability of cash from such funds as may be determined by the Di of Finance.

BE IT FURTHER RESOLVED that the resolution passed the 25th day of O 1934 be and the same is hereby repealed.

I move the adoption of the foregoing resolution, this 8th day of November, 1934.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this 8th day of November, 1934

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

The City Manager reported that he had received a claim of $192.50 some ti against the City by P. B. Blakely for damage to his property at 189 South Grove Stree by the breaking of a 4" water line which goes through his property. He reported that had thoroughly investigated the matter through the Engineering Department and had di the city's liability with the Corporation Counsel and that on their advice, he recom settlement of this claim on the basis of one-half or $96.25 provided P. B. Blakely would give the city right of way for the 4" water main referred to.

It was moved by Councilman Miller, seconded by Councilman Westall and carr that the City Manager be authorized to settle the claim on this basis.

Mr. Hackney reported the City has an opportunity of leasing the cold stora plant in the market house to Hardin Foster for $1615.00 a year rental and recommended the City accept the proposal.

Councilman Little moved, seconded by Councilman Miller, that the leasing authorized in accordance with the terms recommended by the City Manager. This motion carried.

On motion, adjourned.

Mayor

City Clerk

Thursday, November [illegible], 1934: [illegible] P. M.

The City Council met in [illegible] session: Mayor [illegible] presiding. Present: Councilmen John E. Baumberger, [illegible] Boyd, H. G. [illegible], [illegible] Miller, [illegible] Wamboldt and Jack [illegible], City Manager, [illegible] Little, E. H. Miller, [illegible] Wamboldt and Jack Westall, City Manager, [illegible] and Corporation Counsel. [illegible] Blackstock. The minutes of the [illegible] meeting were read and approved.

Ordinance #217, entitled An ordinance providing [illegible] shows or exhibitions, and repealing Ordinance #[illegible] was presented in writing, read and declared adopted. Councilmen Boyd, Brookshire, [illegible], Little, Miller, [illegible] and Westall voted "Aye", Councilman Baumberger voted "no".

AN ORDINANCE PROVIDING FOR WATER [illegible] SHOWS OR EXHIBITIONS, AND REPEALING ORDINANCE #[illegible].

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That the water [illegible] circus, menagerie, wild west show, or any other show, exhibition or performance similar thereto, shall be, for each day or part thereof water is used, as follows:

(1) Such show or exhibition [illegible] operation of:

Not more than ten years	$ [illegible]
Three to ten years inclusive	[illegible]
Eleven to twenty years inclusive	[illegible]
Twenty-one to thirty years inclusive	[illegible]
Thirty-one to fifty years inclusive	[illegible]
More than fifty years	[illegible]

(2) Such show or exhibition traveling by automobiles, trucks, or other vehicles, other than railroad cars, and requiring transportation by:

Not more than ten vehicles	[illegible]
Eleven to twenty vehicles	[illegible]
Twenty to thirty vehicles	15.00
Thirty to fifty vehicles	[illegible]

Section 2. That it shall be the duty of every person, firm, or corporation, exhibiting a performance such as a circus, menagerie, wild west show, tent and/or any show, or any other show, exhibition or performance similar thereto, to pay into the office of the Tax Collector of the City of Asheville the water charges hereinbefore set forth and enumerated before using any water from the municipal water system and that all water so used shall be taken under the supervision of the Water Superintendent, and every person, firm, or corporation is prohibited from using or using water from such system for the purposes herein set forth unless and until the payment in advance is made of the water rates herein prescribed.

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be subject to a penalty of Fifty ($50.00) Dollars for each and every violation.

Section 4. That ordinance #[illegible] relating to the same subject matter be and the same is hereby repealed.

Section 5. That this ordinance shall become effective fifteen days after date of publication.

I move the adoption of the foregoing ordinance, this 1st day of November, 19[illegible].

Joseph W. Little
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted this 1st day of November, 19[illegible].

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

A resolution to authorize the appointment of a committee with power to hold public meetings, subpoena witnesses, and generally investigate rates and charges for the use of water within the City of Asheville and the County of Buncombe was ordered placed on the calendar for November 22nd.

Councilman Chas. F. Crow moved, seconded by Councilman Ernest H. Miller that resolution providing for the procuring of options on land for an airport for the City of Asheville be adopted.

A motion offered by Councilman Baumberger, seconded by Councilman Miller that the resolution be amended by adding after the words "options and agreements" "without any expenditure of money on the part of the City of Asheville", carried, and the resolution was voted on and adopted.

RESOLUTION PROVIDING FOR THE PROCURING OF OPTIONS ON LAND FOR AN AIRPORT FOR THE CITY OF ASHEVILLE.

BE IT RESOLVED by the City Council of the City of Asheville that the report and recommendation of Joseph W. Little for the Airport Committee be and the same is hereby approved and adopted.

BE IT FURTHER RESOLVED that the said Joseph W. Little be requested to turn over and deliver to the Corporation Counsel all such legal documents as may be in his possession relating to an airport site in the County of Buncombe, and that the said Corporation Counsel be and he is hereby instructed, in cooperation with the Board of County Commissioners and the County Attorney, to forthwith secure such legal and binding options and agreements, without any expenditure of money on the part of the City of Asheville, as may be necessary upon the land for an airport site in the County of Buncombe, and that due report thereof be made to this Council.

I move the adoption of the foregoing resolution, this 8th day of November 1934.

Chas. F. Crow
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted, this 15th day of November, 1934.

Wickes Wamboldt
MAYOR

E. G. Thomson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

A resolution requesting the Congress of the United States to investigate the activities of the Bondholders Committee and the Noteholders Committee of the City of Asheville was on motion of Councilman Joseph W. Little, seconded by Councilman Ernest H. Miller, passed.

RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO INVESTIGATE THE ACTIVITIES OF THE BONDHOLDER COMMITTEE AND THE NOTEHOLDER COMMITTEE OF THE CITY OF ASHEVILLE.

WHEREAS, it appears that the City of Asheville, through its governing authorities, has for a period of years dealt with its creditors through certain bondholders and noteholders "protective committees", so called; and

WHEREAS, such committees, acting through the medium of certain designated agents and representatives, dealt with the members of this Council concerning the financial operations of the City for the fiscal year 1933-34, and by and through the same agents and representatives with previous City administration officials for years in years prior to the fiscal year 1933-34; and

WHEREAS, it appears that the members of said noteholders "protective committee" so called are Nolan Harrigan, E. H. Alden, and F. J. Rue; and that the members of said bondholders "protective committee" so called are Henry W. George, Harold Palagano, John S. Harriss, Henry Hart, Fred P. Hayward, and William C. O'Keeffe: and

WHEREAS, there have recently been instituted in the District Court of the United States for the Western District of North Carolina three certain actions entitled as follows:

1. NOLAN HARRIGAN, E. H. ALDEN, and F. J. RUE vs. CITY OF ASHEVILLE.

2. HENRY W. GEORGE, HAROLD PALAGANO, JOHN S. HARRISS, HENRY HART, FRED P. HAYWARD, and WILLIAM C. O'KEEFE vs. CITY OF ASHEVILLE, N. C.

3. HENRY W GEORGE, HAROLD PALAGANO, JOHN S. HARRISS, HENRY HART, FRED P. HAYWARD, and WILLIAM C. O'KEEFFE, on behalf of themselves and all other owners and holders of water bonds and sewer bonds of the CITY OF ASHEVILLE, NORTH CAROLINA, and annexed municipalities.

VERSUS

CITY OF ASHEVILLE, NORTH CAROLINA, a municipal corporation of NORTH CAROLINA, and WICKES WAMBOLDT, Mayor of the City of Asheville, North Carolina, GEORGE L. HACKNEY, as City Manager of the City of Asheville, North Carolina, and as Director of Finance and as Treasurer of the City of Asheville, North Carolina, and WICKES WAMBOLDT, JACK WESTALL, JOHN E. BAUMBERGER, PLOTT BOYD, H. G. BROOKSHIRE, CHARLES F. CROW, JOSEPH W. LITTLE, ERNEST H. MILLER, and H. M. RAINEY, as members of the COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA.

and

WHEREAS, all of said actions relate either to the alleged obligations of the City of Asheville or to matters of administration policy; and

WHEREAS, on or about the 14th day of November, 1934, summons and complaint were served on the members of this Council and its City Manager in a certain action entitled:

HENRY W GEORGE, HAROLD PALAGANO, JOHN S. HARRISS, HENRY HART, FRED P. HAYWARD, and WILLIAM C. O'KEEFFE vs. WICKES WAMBOLDT, GEORGE L. HACKNEY, JACK WESTALL, JOHN E. BAUMBERGER, PLOTT BOYD, H. G. BROOKSHIRE, CHARLES F. CROW, JOSEPH W. LITTLE, ERNEST H. MILLER, and H. M. RAINEY.

in which said action plaintiffs allege as a potential cause of action against the defendants that the "defendants, in total disregard of their duty and of the rights of plaintiffs have willfully, wrongfully, knowingly, maliciously, and unlawfully failed and neglected to so apply certain (water) revenues, but have diverted and misappropriated the same", and other allegations of similar import, and in their complaint, the plaintiffs demand judgment against the defendants and each of them in the sum of $150,000.00; and

WHEREAS, it appears by a comparison of the allegations set forth in the pleadings in all of the pending cases hereinabove set forth that all of the matters and things complained of in the last action referred to herein, which said action is directed against the defendants in their personal and individual capacities, are fully presented and covered by allegations set forth in the first three actions referred to above; and

WHEREAS, it appears that the last action referred to is not brought in good faith by the plaintiffs therein but is brought purely and solely for the purpose of harassing and annoying the defendants and interfering with them in the discharge of their official duty to the people of the City of Asheville, whose representatives they are; that said plaintiffs by their said action seek to intimidate, coerce, and embarrass the members of the City Council and the City Manager, all for the purpose of thereby gaining some advantage over the citizens and taxpayers of Asheville, which said plaintiffs are not otherwise entitled to: and

WHEREAS, it is a matter of common report that said noteholders "protective committee" so called and said bondholders "protective committee" so called have engaged in various and sundry other unwarranted and unlawful practices which are harmful to the depositors whom they pretend to represent as well as to the citizens of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

FIRST: That we resent the implications and condemn the accusations set forth in the allegations of plaintiffs' complaint last above referred to as being a spurious and artificial method of attaining some result or advantage to the plaintiffs which the law does not allow.

SECOND: That we hereby petition the Congress of the United States for a prompt, thorough, and painstaking investigation of the acts, doings, and methods of the noteholders "protective committee" so called, and the bondholders "protective committee" so called, referred to hereinabove.

THIRD: That the Secretary of this Council be, and she is hereby directed to forthwith transmit copies of this resolution to the Clerk of the United States Senate, and the Clerk of the United States House of Representatives, Washington, D. C., and to the Hon. Robert R. Reynolds, United States Senator from North Carolina, and to Hon. Zebulon Weaver, Member of Congress from the Eleventh Congressional District of North Carolina, and to such other person or persons as the Council shall hereafter direct.

FOURTH: That we further petition all persons named above or to whom copies of this resolution may hereafter be sent to exercise their offices in this behalf, to-wit: that by appropriate resolution of the United States Senate or House of Representatives, or both, a copy of this resolution be referred to an appropriate committee of the Congress to the end that a thorough, complete, and exhaustive investigation be made into the affairs, methods, practices, and dealings of the bondholders and noteholders committees

references in this resolution with respect both to their dealings with their obligations and to the depositary of note and bonds.

I move the adoption of the foregoing resolution, this 15th day of November, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and enacted this 15th day of November, 1934

Wickes Wamboldt
MAYOR

E. G. Thomason
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Councilman Brookshire made a motion, which was seconded by Councilman Miller and unanimously carried, that the Mayor and City Manager be directed to carry a copy of this resolution to the meeting of the United States Conference of Mayors in Chicago next week, to see if they would take any action.

Councilman Westall submitted a report on codification of the city ordinances, which is in part as follows: The last codification of the city ordinances was published in 1927 as Pennell's Code. This publication contained ordinances revised up to September 1929. During the Coffey administration 1931-33 numerous new ordinances were adopted. None of these were numbered. There were probably one hundred or more ordinances. Starting with the second Roberts administration the ordinances were numbered in addition to bearing captions. There are six numbered ordinances. Pennell's Code contains 1170 sections. There are therefore already in excess of three hundred ordinances enacted since Pennell's Code was published. A great number of these are amendments to ordinances previously existing and there are many wide scattered ordinances in Pennell's Code. The result is that the whole subject of city ordinances is one of much confusion. There have been so many amendments and alterations in some subjects that it would be difficult, if not impossible, to construe the law if necessity should arise. Chief of Police Everett says, 'It would great assist their work and define their duties if there was a new codification.

Councilman Westall read various instances of obsolete ordinances and made a recommendation that the work of codifying the city ordinances be authorized.

A motion made by Councilmen Westall, seconded by Councilman Crow, that the laws of the City be codified and the Mayor be empowered to appoint a committee to select some one to do this work, carried unanimously. Mayor Wamboldt named Councilmen Westall, Crow and Brookshire to constitute this committee.

On motion, adjourned

Mayor

City Clerk

Thursday, November 22, 1934 7:30 P. M.

The City Council met in regular session: Vice Mayor Miller presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller and Jack Westall, and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

A resolution to authorize the appointment of a committee with power to make public hearings, subpoena witnesses, and generally investigate rates and charges for the use of water within the City of Asheville and the County of Buncombe, introduced on October 8th by Councilman Joseph W. Little, seconded by Councilman Chas. F. Crow, was presented for consideration.

A motion made by Councilman Miller, seconded by Councilman Crow that the resolution be amended by striking out last paragraph and inserting in lieu thereof the following lines: " That said committee is further authorized, empowered and directed to make a careful study of the charges for water and meter service for the current fiscal period, with a view to recommending to the Council some reduction in the rates to be effective not later than January 25, 1935, carried.

Councilman Baumberger moved, seconded by Councilman Westall, that action on said resolution be postponed until the first meeting in December. This motion carried.

A motion made by Councilman Westall, seconded by Councilman Little that the matter of the suit brought by Henry W. George et als. vs. Members of the City Council and George L. Hackney, the Corporation Counsel be requested to prepare and file on behalf of any defendant named in the suit, who requests him to do so, proper plea or defense to said action now pending the District Court of the United States for the Western District of North Carolina, was voted on and carried unanimously.

A resolution providing for setting up on the books and making cash refund of an item of $1,250.75 of 1929 City Taxes heretofore declared by the Supreme Court of North Carolina to have been illegally levied was on motion of Councilman Ernest H. Miller, seconded by Councilman Joseph W. Little, adopted.

A RESOLUTION PROVIDING FOR SETTING UP ON THE BOOKS AND MAKING CASH REFUND OF AN ITEM OF $1,250.75 CITY TAXES HERETOFORE DECLARED BY THE SUPREME COURT OF NORTH CAROLINA TO HAVE BEEN ILLEGALLY LEVIED.

WHEREAS, the City Council of the City of Asheville on the 8th day of November, 1934 passed a formal resolution authorizing and providing for the refund of certain 1929 taxes illegally levied; and

WHEREAS, by inadvertence an item of $1,250.75 paid by the Southern Railway Company was omitted from said list, and in order to include said amount,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the sum of $1,250.75 paid by the Southern Railway Company to the City of Asheville upon its 1929 taxes, being tax upon railway miles included by the extension of the city limits of the City of Asheville in 1934, be and the same is hereby authorized to be set up upon the books in the manner heretofore authorized by resolution and in accordance with Chapter 96 of the Private Laws of 1931, to be refunded in the manner set forth by the resolution of the 8th day of November, 1934.

I move the adoption of the foregoing resolution this 22nd day of November, 1934.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Joseph W. Little
COUNCILMAN

Read, approved and enacted, this 22nd day of November, 1934.

Wickes Wamboldt
MAYOR

E. G. Thomason
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Councilman Jack Westall moved, seconded by Councilman Chas. F. Crow, that a resolution authorizing the issuance of tax anticipation notes of the City of Asheville in the sum of not exceeding Ten Thousand ($10,000) Dollars be adopted.

An amendment offered by Councilman Little, seconded by Councilman Crow that the resolution be amended by adding after the words November 1934, "to become effective fifteen days after date of passage carried unanimously, and the resolution was voted on as amended.

A RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE CITY OF ASHEVILLE IN THE SUM OF NOT EXCEEDING TEN THOUSAND ($10,000) DOLLARS.

WHEREAS, it now appears that the City of Asheville is due to pay to the County Commissioners of Buncombe County a sum of approximately Eight Thousand ($8,000.00) Dollars, through the Board of Financial Control, in order to have paid its proportionate share of the funds necessary in making the tax records for the fiscal year 1934-35: and

WHEREAS, the Board of Financial Control of Buncombe County has certain funds which will eventually be payable to the City of Asheville, which amount will be more than ten thousand ($10,00) Dollars.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Director of Finance be and he is hereby authorized and empowered to negotiate with the Board of Financial Control of Buncombe County a loan to be made by said Board of Financial Control to the City of Asheville in an amount not exceeding ten thousand ($10,000) dollars: and that the Mayor and City Clerk of the City of Asheville be and they are hereby authorized and empowered to execute notes in denominations of one thousand ($1,000) Dollars each, in a total amount not exceeding ten thousand ($10,000) dollars, payable on or before four months after date of issuance, and to draw interest not in excess of three (3%) per cent: said notes, however, to be sold after advertisement, as provided by statute, and only after same shall have been approved by the Board of Financial of Buncombe County and the Local Government Commission of North Carolina at Raleigh, North Carolina.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the date hereinafter prescribed, and after being approved by the Board of Financial Control of Buncombe County and the Local Government Commission of North Carolina.

I move the adoption of the foregoing resolution, this 22nd day of November, A. D. to become effective fifteen days after date of passage.

Jack Westall
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Duly adopted this 22nd day of November, 1934

Wilkes Wamboldt
MAYOR

E. G. Thomson
CITY CLERK

APPROVED AS TO FORM:
W. B. Blackstock
CORPORATION COUNSEL

The claim of W. J. Leiman for refund of paving assessments on Lots 12 and 13, Sheet 4, Haw Creek Ward, was read and on motion of Councilman Baumberger, seconded by Councilman Boyd unanimously ordered referred to the City Manager and the Corporation Counsel.

November 22, 1934

Mr. George L. Mackney
City Manager & Treasurer
Asheville, N. C.

In re: Claim for refund of paving assessments on Lot 12 and 13, Sheet 4, Haw Creek Ward, by W. J. Leiman

Dear Mr. Mackney:

Mr. W. J. Leiman purchased the above property from the Alexander Investment Company on July 8, 1927, previous to which date we examined the title for him. This was, of course, before the corporate limits of the City of Asheville were extended so as to include the former Town of Kenilworth. On July 5, 1927, Dan Hodges, who examined the title, inquired of Mrs. Ada S. Ward, then Tax and Assessment Collector for the Town of Kenilworth, and was by her informed that there were no assessments against the two lots, and all taxes were paid.

November 22, 1934

Mr. Leiman had no notice of any assessment until someone sent him a statement dated May 31, 1927, whereupon I personally made an examination of the records then in the Asheville City Hall. The statement, that you recall, was the assessment was levied as of October 1, 1926. On July [illegible], I personally examined the Minute Book kept by the Commissioners of the Town of Kenilworth for the month of October, 1926 and for more than a year previous thereto- failing to find any record which explained or justified the [illegible] assessment against this property. Mr. L. A. Young, then Asheville collector of assessments, told me that he had several instances of this kind.

Mr. Leiman concluded to let the matter rock along, thinking the City would never make an effort to collect the assessment, but in October 1934 he conveyed the property and the purchaser naturally insisted that the [illegible] be cleared. The only way to do this was to pay the assessment under protest, which was done, and I now hold receipt #0694 dated October 22, 1934, for the full amount and interest, totalling $58.45 marked "Paid under protest."

This letter is to request you, in order to be more formal, to make refund of this payment. Since payment was made with bonds, Mr. Leiman does not expect any refund in cash. The bonds were purchased from M. L. M. Bones, in [illegible] #1490 and the refund should be made through the same channel.

The amount involved is not large, but I would like to have it cleared up as soon as possible.

Very truly yours,

S. J. Jarvis
Attorney for W. J. Leiman

HCJ:d

E. D. E. SEVIER

A motion made by Councilman Little, seconded by Councilman Westall, that the City be requested to send a communication to Dr. E. D. E. Sevier and family expressing the regret of the Council and the hope that he would recover soon, as it is unanimously.

Councilman Baumberger made a request that the City Manager supply the Council with copies of financial statement for the fiscal year, especially the receipts and disbursements.

On motion, adjourned.

Wilkes Wamboldt
Mayor

E. G. Thomson
City Clerk

Thursday, November 29, 1934- 4:30 P. M.

No member of the Council was present and the meeting was adjourned by the City Clerk.

Wilkes Wamboldt
Mayor

E. G. Thomson
City Clerk

Thursday, December 6, 1934- 4:30 P. M.

The City Council met in regular session, Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

✓ [illegible] -

A petition from citizens, tax payers and property owners residing on Church Street, Aston Street and Ravenscroft Road asking the City Council to take such steps as may be found necessary to remove and re-locate the Asheville Transient Center at the corner of Aston Street and Church Street, was presented.

Councilman Miller moved, seconded by Councilman Westall that the petition be referred by the City Council to Mrs. Thomas O'Berry, Administrator of Emergency Relief in Raleigh. This motion carried.

✓ [illegible]

[illegible] was presented

A petition/from citizens requesting the City Council to change the names of Broadway to North Boulevard, Biltmore Avenue to South Boulevard, Broadway north of its intersection with Merrimon Avenue to North Lexington, College Street through Beaucatcher Tunnel to East Avenue College Street west portion of Patton Avenue and Clingman Avenue and Haywood Road to West Avenue, also requesting that signs indicating names of avenues and boulevard and zones and block number be erected.

It was moved by Councilman Miller, seconded by Councilman Westall voted on and carried, that a committee be appointed to work out something as suggested in the petition. Mayor Wamboldt appointed on this committee: Councilmen Miller, Boyd and Westall.

✓ [illegible]

On motion of Councilman Boyd, seconded by Councilman Miller, theinvitation of the Asheville Artist Guild to visit the art exhibition on the fifth floor of the city hall was accepted.

✓ [illegible]

A communication from Mr. Hubert C. Jarvis, attorney for W. J. Leiman with regard to refund of paving assessments on lots 12 and 13, sheet 4, Haw Creek Ward was presented and on motion of Councilman Boyd, seconded by Councilman Westall unanimously ordered referred to the City Manager and the Corporation Counsel with power to act.

✓ JOHN A. NORDMAN-CLAIM FOR PAYMENT OF BONDS AND COUPONS

Mr. John A. Nordman of St. Louis, through his attorney and agent, Eugene M. Guise, presented claim for payment of bonds and coupons with interest from maturity in the amount of $20,458.75 as follows:

TO THE HON. WICKES WAMBOLDT, MAYOR, TO GEORGE L. HACKNEY, CITY MANAGER, TO THE BOARD OF CITY COUNCIL AND E. G. THOMPSON, CLERK THEREOF, OF THE CITY OF ASHEVILLE, STATE OF NORTH CAROLINA.

Greetings:-

Comes now, John A. Nordman, a resident of the City of St. Louis, State of Missouri, and a citizen of the State aforesaid, being the owner, holder and beared of bonds and coupons heretofore executed, sold, issued, and delivered for value, by the City of Asheville, State of North Carolina, and bonds and coupons heretofore executed, sold, issued and delivered for value, by the Town of Kenilworth, State of North Carolina, which bonds are obligations of the City of Asheville, State of North Carolina, by reason of the annexation of the Town of Kenilworth by said City, on or about the 30th day of June, 1929, all as hereinafter set our and itemized, and throu his attorney and agent, Eugene M. Guise, makes presentation of his claims based upon said bonds and coupons with interest from maturity for audit and allowance and demands payment thereof on this the 6th day of December, 1934, said bonds and coupons are past due, wholly unpaid and are as follows, to-wit:-

REFUNDING BONDS 5½% Dated 7/1/18

60 coupons which are or were when issued attached to Refunding Bonds:

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
62-96 inc.	28	July 1, 1932	15 @ $26.25	$393.75
62-96 inc.	29	Jan. 1, 1933	15 @ 26.25	393.75
62-96 inc.	31	Jan. 1, 1934	15 @ 26.25	393.75
62-96 inc.	32	July 1, 1934	15 @ 26.25	393.75

SCHOOL BONDS 6% Dated 6/1/21

90 coupons which are or were when issued attached to School Bonds:-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
301 315 inc.	21	Dec. 1, 1931	15 @ $30.00	$450.00
301-315 inc.	22	June 1, 1932	15 @ 30.00	450.00
301 315 inc.	23	Dec. 1, 1932	15 @ 30.00	450.00
301-315 inc.	24	June 1, 1933	15 @ 30.00	450.00
301-315 inc.	25	Dec. 1, 1933	15 @ 30.00	450.00
301-315 inc.	26	June 1, 1934	15 @ 30.00	450.00

SEWER BONDS 6% Dated 6/1/21

8 coupons which are or were when issued attached to Sewer Bonds:-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
98	23	December 1, 1932	1 @ $30.00	$ 30.00
98	24	June 1, 1933	1 @ 30.00	30.00
98	26	June 1, 1934	1 @ 30.00	30.00

STREET IMPROVEMENT BONDS 5½% Dated 6/1/23

	Numbered	Dated	Maturing		
5 bonds	205-209	6/1/23	6/1/31	@ $1000.00	5000.00

209 coupons which are or were when issued attached to Street Improvement Bonds:-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
527-536, 539-551, 580-584, 590-601, 618-640	19	Dec. 1, 1932	83 @ $26.25	$2178.75
527-536, 539-551, 580-584, 590-601	20	June 1, 1933	60 @ 26.25	1575.00
527-536, 539-551, 580-584, 590-601, 618-640	21	Dec. 1, 1933	83 @ 26.25	2178.75
527-536, 539-551, 580-584, 590-601, 618-640	22	June 1, 1934	83 @ 26.25	2178.75

SEWER BONDS 5½% Dated 6-1/23

2 coupons which are or were when issued attached to Sewer Bonds:-

BONDS NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
94-125	19			
94-125	20	Dec. 1, 1932	2 @ $26.25	$ 52.50
94-125	22	June 1, 1933	2 @ 26.25	52.50
		June 1, 1934	2 @ 26.25	52.50

PUBLIC BUILDING BONDS 4¼% Dated 4/1/25

25 coupons which are or were when issued attached to Public Building Bonds:-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
396-400	15	Oct. 1, 1932	5 @ $23.75	$118.75
396-400	16	April 1, 1933	10 @ 23.75	237.50
395-400	18	April 1, 1934	10 @ 23.75	237.50

STREET IMPROVEMENT BONDS 4¼% Dated 4/1/25

15 coupons which are or were when issued attached to Street Improvment Bonds:-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
501-502, 517-519	15	October 1, 1932	5 @ $23.75	$118.75
501-502, 517-519	16	April 1, 1933	5 @ 23.75	118.75
501-502, 517-519	18	April 1, 1934	5 @ 23.75	118.75

SCHOOL BONDS 4¾% Dated 4/1/25

20 coupons which are or were when issued attached to School Bonds:-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
131-135	15	Oct. 1, 1932	5 @ $23.75	$118.75
131-135	16	April 1, 1933	5 @ 23.75	118.75
131-135	17	Oct. 1, 1933	5 @ 23.75	118.75
131-135	18	April 1, 1934	5 @ 23.75	118.75

CITY HALL BONDS 5% Dated 1/1/29

4 coupons which are or were when issued attached to City Hall Bonds:-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
32	7	July 1, 1932	1 @ $25.00	$ 25.00
32	8	Jan 1, 1933	1 @ 25.00	25.00
32	10	Jan. 1, 1934	1 @ 25.00	25.00
32	11	July 1, 1934	1 @ 25.00	25.00

SEWER BONDS 5% Dated 1/1/29

4 coupons which are or were when issued attached to Sewer Bonds:-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
40	7	July 1, 1929	1 @ $25.00	$ 25.00
40	8	Jan. 1, 1933	1 @ 25.00	25.00
40	10	Jan. 1, 1934	1 @ 25.00	25.00
40	11	July 1, 1934	1 @ 25.00	25.00

TOWN OF KENILWORTH, NORTH CAROLINA

STREET , WATER AND SEWER BONDS 6% Dated 5/1/24

40 coupons which are or were when issued attached to Street Water and Sewer Bonds;-

BOND NUMBERS	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	
36-40	14	May 1, 1931	5 @ $30.00	$150.00
36-40	15	Nov.1, 1931	5 @ 30.00	150.00
36-40	16	May 1, 1932	5 @ 30.00	150.00
36-40	17	Nov 1, 1932	5 @ 30.00	150.00
36-40	18	May 1, 1933	5 @ 30.00	150.00
36-40	19	Nov.1, 1933	5 @ 30.00	150.00
36-40	20	May 1, 1934	5 @ 30.00	150.00
36-40	21	Nov.1, 1934	5 @ 30.00	150.00
			TOTAL	$20,458.75

With interest on the foregoing bonds and coupons from the respective dates of maturity at the rates applicable thereto.

JOHN A. NORDMAN
By Eugene M. Guise
His Attorney and Agent.

RESOLUTION AUTHORIZING [illegible]
TO INVESTIGATE RATE FOR USE [illegible]

A resolution to authorize the appointment of a committee with power to hold public hearings, subpoena witnesses, and generally investigate rates and charges for the use of water within the City of Asheville and the County of Buncombe was taken under consideration. A motion made by Councilman Crow, seconded by Councilman Westall that the resolution be postponed indefinitely carried unanimously.

It was suggested that some action should be taken in regard to order of Judge Finley directing that a special election on water rates be called.

Councilman Baumber moved, seconded by Councilman Westall that at the conclusion of business today that the meeting recess or that some decision be reached today. This motion carried. Councilman Miller made a motion which was seconded by Councilman Westall, voted on and carried that this meeting recess until 4:30 P. M. Monday.

U. S. CONFERENCE OF MAYORS
REPORT OF CONVENTION

A report on convention of United States Conference of Mayors held at Congress Hotel, Chicago, November 22, 23, and 24, 1934 was made by Mayor Wamboldt.

ORDINANCE [illegible] First [illegible]

On motion of Councilman Ernest H. Miller, seconded by Councilman Chas. F. Crow, an ordinance regulating the operation of physical endurance contests was unanimously passed on its first reading. Voting "Aye" Councilmen Baumberger, Boyd, Brookshire, Miller, Wamboldt and Westall.

Attorney J. Y. Jordan jr. filed an application for privilege license for the manager and owner of The Walkathon at 63 Biltmore Avenue for a month beginning December 13th. Mr. Kenneth Lee and Alfred S. Barnard spoke in opposition to the continued operation of the Walkathon. Mr. Frank Jordan, Deputy Ins.Commissioner made a report that he had made an examination of the building at 63 Biltmore Avenue and found it unsafe.

A motion of Councilman Miller, seconded by Councilman Brookshire, that is the City Manager finds that the Walkathon now operating is immoral or unsafe that he close it, carried.

W. BOWEN HENDERSON- BILL

City Manager George L. Hackney presented a bill of W. Bowen Henderson in the amount of $240 for special accounting services rendered in special segregation of the water department accounts in compliance with resolution of the City Council appropriating net revenues of the water department for debt service purposes.

Councilman Boyd moved, seconded by Councilman Westall voted on and carried that this bill be paid out of the water fund.

BOARD OF ELECTIONS-BILL

A bill was presented by the Municipal Board of Elections in the amount of $600.00 for services rendered in connection with proposed ordinance providing for water rates and charges.

A motion was made by Councilman Westall, seconded by Councilman Miller voted on and carried that this matter be postponed until the next meeting.

RESOLUTION AUTHORIZING M[illegible]
[illegible] TO EXECUTE QUIT-CLAIM DEED TO FORMER OWNER OF PROPERTY

On motion of Councilman Plott Boyd, seconded by Councilman E. H. Miller, resolution authorizing the Mayor to execute quit-claim deed to former owner of property acquired by the City of Asheville by tax foreclosure suit was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO FORMER OWNER OF PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on the 19th day of November, 1934, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the year 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in The Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	REMARKS
#977	Fred N. Somerville	2	3	3	Bid in by owner

WHEREAS, it appears that the above property was bid in at the sale by the listed owner, who is desirous of obtaining deed from the City of Asheville

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute quit-claim deed to the property listed above, said deed to be made as set out above to said owner, who was the highest bidder at said sale, which deed is to be

turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon paymant of the 1928 and prior year taxes, together with cost of advertising, which amount is set forth in the deed, together with the listing of the property for taxes for the year in which the title was vested in the City of Asheville.

I move the adoption of the foregoing resolution, this 6th day of December, 1934.

Plott Boyd COUNCILMAN

SECONDED BY: E. H. Miller COUNCILMAN

Read, approved and adopted this 6th day of December, 1934

Wickes Wamboldt MAYOR

APPROVED AS TO FORM:
Philip C. Cocke Jr
ASST. CORPORATION COUNSEL

E. G. Thompson CITY CLERK

[illegible] N E. SEVIER

A resolution of the City Council of the City of Asheville regretting the death of Dr. Dan E. Sevier, City Health Officer was on motion of Councilman H. G. Brookshire, seconded by Councilman John E. Baumberger, unanimously adopted.

A RESOLUTION OF THE CITY COUNCIL OF ASHEVILLE REGRETTING THE DEATH OF DR. DAN E. SEVIER, CITY HEALTH OFFICER.

WHEREAS, the City Council of the City of Asheville having with sincere regret profound sorrow received information of the death of Dr. Dan E. Sevier, the City Heal Officer of the City of Asheville; and

WHEREAS, Dr. Sevier having served as Health Officer of the City of Asheville s May 28, 1923.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That it express the official appreciation of the City of Asheville for the and character of the deceased as a citizen who has always been actively interested i welfare and progress of the community in which he resided: as a physician of excelle ability, always deeply interested in the health of the citizens of this community; a a fearless officer, always advocating and protecting the health department of this m pality, and conscientiously protecting the health of its citizens.

2. That as a tribute of respect this meeting of the City Council be adjourned recess in honor of his memory.

3. That the Secretary be and she is hereby directed and instructed to enroll resolution upon the minutes of the official proceedings of the City Council, and tra a copy to the members of Dr. Sevier's family.

I move the adoption of the foregoing resolution, this 6th day of December, 19

H. G. Brookshire
COUNCILMAN

SECONDED BY: John E. Baumberger
COUNCILMAN

Read, approved and adopted, this 6th day of December, 1934

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:

E. G. Thompson
CITY CLERK

E. E. Blackstock
CORPORATION COUNSEL

The meeting recessed until Monday, December 10th at 4:30 P. M.

Wickes Wamboldt
Mayor

Eds Thompson
City Clerk

Monday, December 10, 1934- 4:30 P. M.

The City Council reconvened after recess, Mayor Wamboldt presiding. Present Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager George L. Hackney and Corporation Counsel C. E. Blackstock.

[illegible] ON WATER [illegible]

Councilman Westall read a history of the water situation in regard to petition presented requesting a referendum on the ordinance to reduce water rates, and stated he wished that the City might be spared the expense of an election, and offered a motion, which was seconded by Councilman Baumberger, that the Corporation Counsel be instructed to request Judge Finley to modify his order so as to instruct this Council to reconsider its vote to either pass the ordinance or submit to the vote of the people and the Corporation Counsel be instructed not to appeal from the judge's ruling. A motion was offered by Councilman Brookshire, seconded by Councilman Miller that the motion be amended by striking out the words pertaining to appeal. A vote was taken on the amendment; Councilmen Boyd, Brookshire, Miller, Wamboldt and Westall voted "aye" Councilman Baumberger voted "no", the motion carried.

The motion that the Corporation Counsel be instructed to request Judge Finley to modify his order so as to allow this Council to either pass the ordinance or submit to a vote of the people carried by a vote of five to two as follows: Councilmen Baumberger, Boyd, Brookshire, Wamboldt and Westall voted "aye", Councilman Little and Miller voted "no".

Councilman Baumberger moved, seconded by Councilman Westall that the Corporation Counsel be instructed to not appeal this case. The Chair ruled this motion contradicted the previous motion, therefore was out of order. Councilman Baumberger appealed from the ruling of the Chair and lost by not being seconded. Councilman Baumberger made the following observation: That the Corporation Counsel has not had any instructions from this Council to appeal from the ruling of Judge Finley.

[illegible] DEPARTMENT-PU[illegible]

On motion of Councilman Miller, seconded by Councilman Little, the City Manager was authorized to purchase two one-half ton trucks for the water department at an approximate cost of $1,400.00, to be charged to the water fund.

[illegible] CLINIC-W[illegible]
[illegible] ASSISTED

Mr. Hackney made a report of the increased work in the V. D. Clinic and asked for authority to increase the salaries of that department $215.00 a month, the county to pay one-half.

A motion of Councilman Baumberger, seconded by Councilman Miller, that a committee be appointed to work out this matter carried and the Mayor appointed Councilmen Brookshire, Baumberger and Miller on this committee.

[illegible] REGULATING
[illegible]

City Manager George L. Hackney, reported that after investigation of the activities of the Walkathon now being operated, he was unable to close it on moral or unsafe grounds and the only way to stop it is to make the ordinance an emergency ordinance.

Councilman Miller moved, seconded by Councilman Little, that the rules be suspended and an ordinance regulating the operation of physical endurance contests be passed on its second and thir readings today. This motion was voted on as follows: "Aye" Councilmen Baumberger, Brookshire, Little, Miller and Westall, "No", Councilman Wamboldt. The motion lost.

[illegible] FAWN & BEAUCATCHER RESERVOIRS-TIE LINE

Mr. Hackney reported the need of a tie line between the White Fawn and Beaucatcher Reservoirs at an estimated cost of $9,000.00 and recommended that installation not be delayed.

It was moved by Councilman Westall, seconded by Councilman Miller voted on and carried, that the recommendation of the City Manager be adopted.

On motion adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, December 13, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager George L. Hackney and Assistant Corporation Counsel Philip C. Cocke Jr. The minutes of the previous meeting were read and approved.

An ordinance regulating the operation of physical endurance contests was presented on its second reading. Voting "aye" for the passage of the ordinance on its second reading, Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall, the ordinance was declared passed on its second reading.

It was moved by Councilman Little, seconded by Councilman Miller that the rules be suspended and the ordinance passed on its third reading. A vote was taken Councilmen Brookshire, Crow, Little, Miller and Westall voting "aye" Councilmen Baumberger, Boyd and Wamboldt voting "no", the motion was lost.

A bill for services rendered by the Municipal Board of Elections in connection with proposed ordinance providing for water rates and charges in the amount of $600.00 was presented.

Councilman Westall made a motion which was seconded by Councilman Miller and adopted, that the bill be referred back to the Board of Elections for detailed itemization.

Councilman Baumberger nominated Mr. George Bramlett and Councilman Crow nominated Mr. Arthur York to fill the vacancy on the Asheville Boxing Commission.

A motion was made by Councilman Miller, seconded by Councilman Westall that the matter of an appointment be deferred for one week. This motion carried.

RESOLUTION AMENDING BUDGET AND APPLYING TO BOARD OF FINANCIAL

Councilman Jack Westall moved, seconded by Councilman E. H. Miller, that Resolution amending the City budget, and applying to the Board of Financial Control of Buncombe County for approval of such amendment or supplement, be adopted.

A motion of Councilman Baumberger, seconded by Councilman Little that the resolution be amended by striking out "three trucks" and inserting in lieu thereof "two trucks", on being put to a vote did not carry. Councilmen Baumberger, and Little voting "aye", Councilmen Boyd, Brookshire, Crow, Miller, Wamboldt and Westall voting "no".

A voted was then taken on the adoption of the resolution as follows: "Ayes" Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall, "No" Councilmen Baumberger, the resolution was declared adopted.

RESOLUTION AMENDING THE CITY BUDGET, AND APPLY TO THE BOARD OF FINANCIAL CONTROL OF BUNCOMBE COUNTY FOR APPROVAL OF SUCH AMENDMENT OR SUPPLEMENT.

WHEREAS, it is the desire of the City Council of the City of Asheville that there be constructed a water main tying together the White Fawn Reservoir and the Beaucatcher Reservoir, so as to make more secure the water supply of the City Asheville in case of disruption of service upon one of the main lines: and

WHEREAS, it is the desire of the City Council of the City of Asheville to install water meter lids of the latest and safest design in place of certain antiquated water meter lids now being used in certain portions of the City of Ashe and

WHEREAS, it is the desire of the City Council of the City of Ashe ille to authorize the City Manager to purchase for the water department three small trucks and

WHEREAS, the aforesaid three items have not been provided for in the budget and appropriation provisions for the present fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE

That the budget of the City of Asheville for the fiscal year 1934-35 be amended by including the following provisions:

(1) The construction of a water main connecting the White Fawn Reservoir with the Beaucatcher Reservoir in the City of Asheville at an estimated cost of $9,000.

(2) The purchase of water meter lids of the latest and safest design, as to be determined by the City Manager in approximately 3,000 number at an estimated cost of $3,500.00.

(3) The purchase of three small tucks for the water department of the City of Asheville, same to be selected by the City Manager, at an estimated cost of $2,100.00.

BE IT FURTHER RESOLVED that this resolution providing for the amendment of the city budget for the fiscal year 1934-35, and the establishment of a supplementary budget to provide for same, and the appropriation in accordance therewith from the water revenue of the City of Asheville, be submitted to the Board of Financial Control of Buncombe County with the request for authorization thereof by said board, as provided by Chapter 253 of the Public-Local Laws of 1931 as amended.

I move the adoption of the foregoing resolution, this 13th day of December, 1934.

Jack Westall
COUNCILMAN

SECONDED BY: E. H. Miller
COUNCILMAN

Read, approved and adopted, this 13th day of December, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

RESOLUTION PROVIDING FOR [illegible] OF OPENING AND WIDENING OF [illegible] PROCEEDING -- BILTMORE AVENUE

Resolution providing for the abandonment of the opening and widening proceeding embodied in the resolution adopted by the City Council of the City of Asheville on November 15, 1933 was introduced and ordered placed on the calendar, a copy to be sent to each member of the Council.

ZONING ORDINANCE

Mr. Hackney presented an opinion from the Corporation Counsel in regard to complaint of Mrs. Martha E. Weaver that certain families have violated the zoning ordinance #207 in which he stated that steps are about to be made toward making a test case of if the zoning ordinance shall be upheld by the courts then all future cases can be handled easily. If, on the other hand, the ordinance should be held invalid by the courts, then there would be no necessity of annoying people by further prosecutions.

CAROLINA POWER & LIGHT COMPANY -- PERMIT TO OPERATE BUSES

The application of Carolina Power & Light Company for permits to operate seven passenger motor buses over that portion of Haywood Road in West Asheville between the entrance of Malvern Hills and the intersection of Brevard Road and Haywood Road for one year was presented by the City Manager.

A motion of Councilman Miller, seconded by Councilman Westall that this matter be referred to the Public Utilities Committee and that Councilman Baumberger be added to this committee carried unanimously

KENILWORTH BUS LINES- PERMIT TO OPERATE

On motion of Councilman Baumberger, seconded by Councilman Miller, the application of Clyde F. Fleming trading and doing business as The Kenilworth Bus Lines for permit to operate motor buses over the street of the City of Asheville, to cover same routes with extensions, was granted: All members of the Council voting "aye", except Councilman Brookshire, who voted "no".

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE

BEFORE ASHEVILLE CITY COUNCIL

APPLICATION FOR PERMIT TO OPERATE PUBLIC SERVICE VEHICLE OR MOTOR BUSES

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF ASHEVILLE, NORTH CAROLINA.

Gentlemen:

The undersigned, CLYDE F. FLEMING, trading and doing business as the KENILWORTH BUS LINES, and as owner of the same, hereby makes application to your Honorable Body for a permit or license, and privilege to operate Public Service Vehicles, or Motor Buses over the streets of the City of Asheville, and on the following routes: and that he be granted this permit to operate the said hereinafter described buses, over the hereinafter described routes, and to engage in the handling of passengers over the hereinafter described routes, and to discharging of passengers along said route, and to charge the fares hereinafter set forth in schedule of tarrill.

That the operation consists of two routes, both leaving Pack Square, said routes being known as: (1) Kenilworth Route, and (2) Lakeview Park-Burnsville Hill Route.

The the following is the proposed routes of operation on the first, or Kenilwo Route, to-wit:

"BEGINNING at Pack Square in the City of Asheville, and proceeding along Biltmo Avenue to Forest Hill Drive; thence along Forest Hill Drive to Caladonia Road; thence along Caladonia Road to Appalachian Hall (Kenilworth Inn); thence from Appalachian Hall along Caladonia Road to Kenilworth Road; thence along Kenilwo Road to Chiles Avenue; thence along Chiles Avenue to Lakewood Drive; thence al Lakewood Drive to Kenilworth Road at intersection of Lakewood Drive and Kenilw Road; thence along Kenilworth Road to Normandy Drive; complete a circle around Normandy Drive and back to Kenilworth Road; thence along Kenilworth Road to Warlick Road; thence along Warlick Road to Forest Hill Drive; thence along For Hill Drive to Biltmore Avenue; thence along Biltmore Avenue to Pack Square, the point of BEGINNING".

That the following is the proposed routes of operation on the second, or Lakev Park-Burnsville Hill Route:

"BEGINNING at Pack Square in the City of Asheville, and proceeding to College Street; thence along College Street o Oak Street; thence along Oak Street to Woodfin Street; thence along Woodfin Street to Charlotte Street; thence along Charlotte Street to Edwin Place; thence along Edwin Place to Kimberly Avenue; thence along Kimberly Avenue to Gracelyn Road; thence along Gracelyn Road to Merrimon Avenue; thence along Merrimon Avenue to Glen Falls Road; thence along Glen Falls Road to Lakeview Road; thence along Lakeview Road to Lakeshore Road thence along Lakeshore Road to Burnsville Hill Road thence along Bursnville Road to Ridge Street; thence along Ridge Street to Gentry Park Road; thence to Woodfin Avenue; thence to Center Street; thence to Johnstown Road and along s to Woodfin School House; thence back along Burnsville Hill Road to Old Weaverv Highway; thence along Old Weaverville Highway to Newbridge terminus;--Thence Newbridge along North Carolina State Highway #20, to Merrimon Avenue; thence Merrimon Avenue to Midland Drive; thence along Midland Drive making a loop th Lakeview Park to Merrimon Avenue, near Lakeview Bridge or Beaverdam Bridge; thence along Merrimon Avenue to Gracelyn Road; thence along Gracelyn Road to Kimberly Avenue; thence along Kimberly Avenue to Edwin Plade; thence along Ed Place to Charlotte Street; thence along Charlotte Street to Woodfin Street, thence along Woodfin Street to Oak Street; thence along Oak Street to College Street; thence along College Street to Broadway; thence along Broadway to Pack Square, the point of BEGINNING".

That the following is a schedule of time for the operation of the said Buses:

Kenilworth Route:

Bus leaves Pack Square at seven (7:00) o'clock A. M. and proceeds through Kenilworth and back to Pack Square at Seven-thirty (7:30) A. M., and thus on a regular schedule every thirty minutes, leaving the Square on the Hour and Half Hour all day and until Nine (9:00) o'clock P. M.; then every hour on the hour until Eleven (11:00) o'clo P. M. the last bus leaving the square at this hour.

The bus makes the entire route described above, with the exception of that po of the route from Kenilworth Road at Lakewood Drive to Normandy Circle, and Normandy Ci to Kenilworth Road and back to Kenilworth Road at Lakewood Drive, every hour and half h as above described. On the portion herein excepted the bus serves the excepted section follows:

The following buses leaving the square at the hour named in this clause serve Kenilworth Road at Lakewood Drive to Normandy Circle, around Normandy Circle back to K Road at Lakewood Drive; The bus leaving the Square at 8:00 A. M., 9:00 A. M., 1:00 P. 2:00 P. M., 5:00 P. M., and 6:00 P. M.

This portion of the schedule has been adopted by the operator of the line and committee representing the section served as to the route and hour.

That the following is a schedule of the time for the operation on the:

Lakeview Park-Burnsville Hill Route:

Leave Pack Square at Seven (7:00) o'clock A. M. with first bus, this bus mak complete trip and back to the square by Eight (8:00) o'clock A. M. on in one hour time second bus leave the square at Seven-thirty (7:30) A. M., makes the complete trip by 8 A. M., and this schedule is followed every hour and half hour through the entire day u eleven (11:00) o'clock P. M. the last bus.

The bus arriving at Pack Square at 8:30 continues on to McDowell Street Seni School building with all children going to such school from the sections served by thi and Kenilworth route; the bus leaving the square at 3:30 P. M. also goes to McDowell S School for the purpose of bringing children served back.

The followin: is a schedule of tariff charged:

Fare	From	To
5¢	Pack Square	Forest Hill Drive
10¢	Pack Square	Kenilworth all points
5¢	Pack Square	Grace
10¢	Pack Square	All points beyond Grace
10¢	Pack Square	Pack Square or round trip.

Passengers who are received or di scharged along the route, or that is betwe points designated in the schedule of fares, are to receive the fare charged between t points along which they are received or discharged.

Passengers may be transferred from one bus t another and receive the continuous passage between the points for the same fare: the maximum fare being 10¢.

The following is a description of the vehicles used:

Model	Make	Type	Seating capacity	Size of seats
	G. M. C.	DeLuxe	20 passengers	20"
1934	G. M. C.	"	20 "	20"
1934	G. M. C.	"	20 "	20"
1935	Ford	"	21 "	18"
1931				

The three G. M. C. buses are of the most modern design, well equipped with all safety devices, heated, and well ventilated all for the comfort of passengers. The Ford bus is used as an extra to supply in case of a bus being taken off for repair.

The applicant makes application for permit to operate the buses above described, along the route above described, to charge the fares above described, and for this permit to become effective at the expiration of his present permit, January 1st, 1934, and to continue effective for a period of one year, that is until January 1st, 1936.

This the 6th day of December, 1934.

C. F. Fleming
Applicant

Sworn and subscribed to before me,
this the 4th day of December, 1934
Sam J. Pegram
(SEAL) Notary Public
My commission expires:
Oct. 7- 36.

BOB BURGESS-CLAIM FOR HOG

Mr. Hackney presented a claim for $40.00 from Bob Burgess for hog condemned by the City Meat Inspector, which was on motion of Councilman Little, seconded by Councilman Baumberger ordered referred to the Corporation Counsel.

On motion, adjourned.

Mayor

City Clerk

Thursday, December 20, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

[illegible] TAXIS-A[illegible]

Application for permits for license to operate public services vehicles over the West Asheville route were filed by Robert Ballard, E. E. Tracey, J. A. Rodgers, Paul McMurray, O. C. Pressley, W. L. Ballard, G. W. Burrell, D. J. Newborn, W. C. Fisher, Henry Brady Jr., J. M. Medcalf and W. G. Lewellyn one car each and W. G. Dean for 7 cars.

Councilman Little moved, seconded by Councilman Westall that the applications be referred to the City Manager for the purpose of checking and recommendations to the Council. This motion carried.

ORDINANCE #218- ADOPTED

Ordinance #218- entitled An ordinance regulating the operation of physical endurance contests was placed on its third and final reading. Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall voted "aye", the ordinance was declared adopted to become effective fifteen days after date of publication.

ORDINANCE #218

AN ORDINANCE REGULATING THE OPERATION OF PHYSICAL ENDURANCE CONTESTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. It shall be unlawful for any person, firm, association or corporation to operate, conduct or participate in the operation of any marathon dancing or walking contest, or any similar contest or exhibition of physical endurance, within the City of Asheville, unless and until such person, firm, association or corporation shall have first applied to, and obtained from, the City Council of the City of Asheville a permit to so operate, conduct or participate in such marathon dancing or walking contest, or similar contest or exhibition of physical endurance by human beings.

Section 2. That no person, firm, association or corporation, desiring to oper conduct or participate in any marathon dancing or walking contest, or other similar cont or exhibition of physical endurance within the City of Asheville, shall make application to the City Council for such permit for such purpose without presenting at the same time with said application a certificate from the City Health Officer, or Director of Public Welfare of the City of Asheville, approving the nature of the particular physical endur contest sought to be operated, together with the name of each proposed participant, tog ther with a certificate from said City Health Officer declaring that he has examined eac proposed participant and stating that in his opinion the proposed participation by such individual in such proposed contest would not in his opinion tend to be injurious to the health of such individual.

Section 3. That this ordinance shall be effective from and after fifteen day following the date of publication hereof.

Section 4. That any person, firm, association or corporation who shall, after effective date of this ordinance, operate or conduct or participate in the operation within the City of Asheville of any marathon dancing or walking contest, or other simila contest or exhibition of physical endurance by human beings, in violation of the provisi of this ordinance, shall, upon conviction, pay a penalty of Fifty Dollars for each and offense. And each distinct and separate day, or part thereof, upon which any such per firm, association or corporation shall violate any of the provisions of this ordinance constitute a separate offense, subjecting the offender to a penalty of Fifty Dollars, up conviction, for each violation hereof for each such separate day, or part thereof.

I move the adoption of the foregoing ordinance, this 6th day of December, 193

Ernest H. Miller
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

read, approved and adopted, this 20th day of December, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

BEAVERDAM BUS LINE - L. H. SPRINKLE

On motion of Councilman Miller, seconded by Councilman Westall, the applicati L. H. Sprinkle trading as Beaverdam Bus Line for permit to operate public service vehic or motor buses over the street of Asheville to cover the same routes was granted, Counc Baumberger, Boyd, Crow, Little, Miller, Wamboldt and Westall voted "aye", Councilman Br voted "no".

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

BEFORE ASHEVILLE CITY COUNCIL

APPLICATION FOR PERMIT TO OPERATE PUBLIC SERVICE VEHICLES OR MOTOR BUSES.

TO THE HONORABLE MAYOR and CITY COUNSIL of the CITY OF ASHEVILLE, NORTH CAROLINA.

Asheville, North Carolina, December 13th, 1934.

Gentlemen:

The undersigned, L. H. SPRINKLE, trading and doing business as the BEAVERDAM and as owner of the same, hereby makes application to your Honorable Body for a permit license, and previdledge to operate Public Service Vehicles, or Motor Buses over the St of the City of Asheville, and on the following routes: that he be granted this permit t the said hereinafter described buses, over the hereinafter described routes, and to eng the hauling of passengers over said routes, which is to include the taking on and disch of passengers along said routes, and to charge the fares hereinafter set forth in a sch of tariff.

That the operation consists of the following proposed route, now being served this applicant:

"BEGINNING at a point known as "Spooks Branch", on the Beaverdam Road, outside the City Limits of the City of Asheville, and proceeding along Beaverdam road Merrimon Avenue at Grace in the City Limits of the City of Asheville; thence along Merrimon Avenue to Murdock Avenue at Woolsey; thence along Murdock Aven to Hillside Street; thence along Hillside Street to Liberty Street; thence along Liberty Street to Woodfin Street; thence along Woodfin Street West to Broadway; thence along Broadway to Pack Square; then return from Pack Square along the same identical route to the point of BEGINNING.

The following is a schedule of the time of operation:

First Bus leaves Spoks Branch at 6:30 A. M. Arriving at Pack Square at 6:45 A. M., and one bus every 15 minutes from that time, going in both directions, until the last Bus at 11:00 P. M.; this schedule followed every day in the week; during rush hours, the schedule is speeded up to a bus every 7½ minutes.

The following is a schedule of tarriff charged:

Fare	From	To
6¢	Spooks Branch	Pack Square
6¢	Pack Square	Spooks Branch
6¢	All points	All points

The following is a description of the vehicles used:

Model	Make	Type	Seating capacity	Size of Seats
1929	Nash	Sedan	7 passengers	Regular
1932	Plymouth	Sedan	7 "	"
1932	Plymouth	Sedan	7 "	"

The applicant makes application for permit to operate the buses above described, along the route above set forth, to charge the fares above set forth, and for this permit t become effective at the expiration of his present permit, January 1, 1935, and to continue effective for a period of one year, that is until January 1st, 1936.

L. H. Sprinkle
Applicant

Sworn and subscribed to before me,
this the 13th day of December, 1934

Notary Public
My commission expires:

The foregoing application of L. H. SPRINKLE, operator of the Beaverdam Bus Line, is passed upon and approved, this the ___day of December, 1934; and the permit is granted to begin on the 1st day of January, 1935, and run until the 1st day of January, 1936.

This done by action of the ASHEVILLE CITY COUNCIL in regular session, being passed by vote of the Council on the ____day of December, 1934.

Attest:

ASHEVILLE CITY COUNCIL,
By
Mayor

City Clerk

A report of the Committee appointed to investigate the increase in salaries in the City Clinic recommending that the change be put into effect for three months was presented, and on motion of Councilman Crow, seconded by Councilman Boyd unanimously ordered adopted.

REPORT OF COMMITTEE ON INCREASE IN SALARIES IN THE CITY CLINIC.

Recommendation was made by the City Manager that Dr. Woodward's salary be raised from $160.00 to $250.00 per month, that he be furnished an assistant at a salary of $100.00 per month and that the nurse's salary be raised to $75.00 per month. This recommendation was for six months at a total additional cost of $1290.00, half of which the County is willing to assume, making a net cost to the city of $645.00.

We have looked into the matter carefully, and realize that conditions have changed greatly, that the recommendation is, as far as the increase in salary is concerned, reasonable, but it does not seem at all certain to us that it is a condition which will continue for a period of six months, therefore, we recommend that the change be put into effect for three months in the hope that conditions may change during this period.

H. G. Brookshire
Ernest H. Miller
John E. Baumberger
Committee

December 19, 1934

A report from the Corporation Counsel in regard to disposition of slaughtered animals found to be unfit for human consumption was read. No action.

[illegible] ENT OF OPENING

Resolution providing for the abandonment of the opening and widening proceedin embodied in the resolution adopted by the City Council of the City of Asheville on Nove 15, 1933 was offered for consideration and referred to the City Manager and the Corporat Counse' to check over the items and see if the City is relieved of responsibility in th matter of damages awarded.

COMMITTEE ON UTILITIES

The Committee on Utilities composed of Councilmen Boyd and Baumberger, report they had conferred with the Carolina Power & Light Company in regard to extension of bu on Haywood Road to Malvern Hill, but were unable to reach an agreement and asked that t committee be enlarged. Mayor Wamboldt appointed Councilmen Brookshire and Westall and Councilman Westall made a motion seconded by Councilman Miller and adopted that Mayor Wamboldt be added to this committee; the committee to endeavor to work out a better sch

BOARD OF FINANCIAL CONTROL -RESOLUTION WATER REVENUES

On motion of Councilman Miller, seconded by Councilman Crow, a communication W. Z. Penland, Secretary of the Board of Financial Control in regard to resolution conc expenditures of certain sums in connection with water department was ordered embodied i minutes.

December 18, 1934.

City of Asheville,
Asheville, N. C.

ATT: Mr. C. E. Blackstock, Attorney.

Gentlemen:

This will acknoledge receipt of your resolution dated the ___day of December, 1934, and concerning expenditures of certain sums in connection with the operation, maintenance and extension of the Water Department and this will advise you that in our opinion the items mentioned in that resolution are fully covered by your resolution dated September 8th, 1934 and approved September 19th, 1934 by the Board of Financial Control in which it provided that revenue arising from water rents shall first be used to defray the charges and expenses properly belonging to the operation, maintenance and extension of the Water Department. Therefore, if the Council finds that these items of expenditures properly belong to the operation, maintenance and extension of the Water Department, it would appear that these items are alrea incorporated in the budget as originally approved.

For the reasons set out above we shall not advertise or take any act on your resolution of the ___day of December, 1934, unless we receive a further request from you.

Very truly yours,

W. Z. Penland, Secretary
BOARD OF FINANCIAL CONTROL

WZP:MH

Mayor Wamboldt announced that after the passage of resolution of this Council December 10, 1934, Judge Finley had amended his previous order according to copy which been mailed to the members of the Council as follows:

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE.

IN THE SUPERIOR COURT.

W. C. MORELAND,
Plaintiff,
VS.

WICKES WAMBOLDT, Mayor, WICKES WAMBOLDT, PLOTT BOYD, JOSEPH LITTLE, JOHN BAUMBERGER, CHARLES CROW, ERNEST MILLER, DR. H. G. BROOKSHIRE, H. W. RAINEY, JACK WESTALL, Comprising CITY COUNCIL, CITY OF ASHEVILLE, and OWEN GUDGER, JOSEPH T. SEVIER, JR., and WILLIAM COLEMAN, Comprising the Municipal Board of Elections for the City of Asheville.
Defendants.

MODIFIED ORDER.

Upon motion of the plaintiff in the above entitled cause the judgment hereto entered in this cause, to wit: on the 14th day of November, 1934, directing the May City Council of the City of Asheville to submit to the qualified voters of said City t matter of reducing the water rates. To modify said order and judgment it is now there ordered that said former order heretofore entered be and the same is hereby cancelled a nullified and this order entered in lieu thereof.

That the Mayor and City Council of the City of Asheville be and they are hereby directed: to adopt the ordinance and schedule of water rates submitted by the plaintiff as set forth in paragraph eight of the complaint entitled, "AN ORDINANCE PROVIDING FOR WATER RATES AND CHARGES", and that said ordinance be adopted so as to become in full force and effect on or before the 21st day of January, 1935.

This the 11th day of December, 1934.

Judge Presiding.

The Mayor further announced that in view of Judge Finley's order of December 1934 and in compliance therewith the ordinance providing for water rates and charges, which was filed with the Council by W. C. Moreland, President of the Central Labor Union, on Decem 9, 1934 automatically comes up on its first reading.

Councilman Little filed an ordinance providing for water rates and charges to become effective June 30, 1935, at the end of the current fiscal year, and requested that it be placed on the calendar. This ordinance was seconded by Councilmen Crow and Miller.

Councilman Little submitted that the only notice the members had of an order by Judge Finley was a copy sent to each member, that the Council had not received an order. He asked the Corporation Counsel if he had seen the order or if it had been filed in the Superior Court, to which Mr. Blackstock replied that he had not seen the order and that it had not been filed. Councilman Little stated as far as this Council is concerned there is no order. Councilman Baumberger then presented the original order, stating he had borrowed it from Mr. J. S. Styles in case any question should arise. Mr. Blackstock verified the signature as Judge Finley's signature. In response to inquiry, Mr. Blackstock stated he did not consent to the signing of the order either before or after its signing. Councilman Little stated it was signed outside the 19th Judicial District and that the Judge had no power to sign same without consent. Councilman Little referred to the resolution of September 8, 1934, adopting budget providing for the allocation of net revenues for debt service and asked the Council to keep faith with the contract.

Councilman Little moved that action on the ordinance be deferred for one week. The Chair ruled in view of the action of the Council on December 10th and in view of the order of Judge Finley of December 11, 1934, the Council is morally bound to pass the ordinance of its first reading today. Corporation Counsel Blackstock stated he did not believe the individual members of the Council are liable to the creditors in passing this ordinance as the Council is under mandate of the Courts.

Councilman Brookshire made a motion, which was seconded by Councilman Little, that action be deferred for one week. The Chair ruled the motion out of order. On motion of Councilman Little, seconded by Councilman Brookshire, an appeal from the ruling of the Chair was taken and a vote showed three ayes and four nayes. A vote was then taken to defer action which resulted in a four to four vote and was declared lost.

Mr. Blackstock was asked by Councilman Little, if it was his official opinion that the members of this Council are compelled under the order of the Judge and under the mandate of the city charter to vote "aye" at this time. Mr. Blackstock replied he considered it a moral and legal duty of the Council to vote "aye", unless the Council appealed to the Supreme Court.

FIRST READING

The ordinance was then put upon its first reading and the ayes and nayes called for. A vote resulting as follows: Voting "aye", Councilmen Baumberger, Boyd, Brookshire, Wamboldt and Westall.

Councilman Crow voted "no"
Councilman Little when his name was called voted "aye" "under protest".
Councilman Miller, when his name was called voted "aye" "under compulsion".

A motion made by Councilman Little, seconded by Councilman Westall that a vote of thanks be extended to Mr. H. A. Ballard for the beautiful Christmas tree carried unanimously.

On motion, adjourned.

Mayor

City Clerk

Thursday, December 27, 1934- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Assistant Corporation Counsel, Philip C. Cocke, Jr. The minutes of the previous meeting were read and approved.

The ordinance providing for water rates and charges, which was passed on its first reading at the meeting on December 20th, was offered for consideration on its second reading in compliance with the order of Judge Finley of December 11, 1934.

Councilman Miller objected to the passage of the ordinance on its second reading basing his objection on the fact that the case of W. C. Moreland vs. City of Asheville and others had been appealed to the Supreme Court of North Carolina.

Councilman Miller then made a motion, seconded by Councilman Westall that further action on the proposed ordinance be postponed. Voting "aye" Councilmen Brookshire, Crow, Little, Miller and Westall, voting "no", Councilmen Baumberger, Boyd and Wamboldt the motion carried.

On motion of Councilman Miller, seconded by Councilman Little, the bill of the Municipal Board of Election for $600.00 for services rendered in connection with the proposed ordinance providing for water rates and charges was ordered paid. This amount to be paid from the water revenues.

Councilman Boyd, Chairman of the Utility Committee, reported the Committee had met with representatives of the Carolina Power & Light Company and had worked out a schedule, and recommended if the application is satisfactory to the Corporation Counsel permit be granted for the extension of the bus line from Brevard Road to Malvern Hills forming a loop around Sulphur Springs Road, giving alternate service on Haywood Road and Sulphur Springs Road.

Councilman Crow moved, seconded by Councilman Miller, that the report of the Committee be accepted and the recommendations be adopted. This motion carried.

An ordinance repealing Ordinance #187 was offered by Councilman Miller and ordered placed on the calendar until next meeting.

Mr. Hackney made a report on requests for permits to operate buses or cars between the center of the City and West Asheville by W. G. Dean, 7 cars, W. G. Lewell, J. Metcalf, Robert Ballard, E. E. Tracey, J. A. Rodgers, Paul McMurray, A. C. Pressley, W. L. Ballard, G. W. Burrell, W. J. Newborn, W. C. Fisher and Henry Brady Jr., one car each, and recommended the issuance of the permits with the understanding that if the ordinance of the City requiring the carrying of liability insurance is still in force on January 1st, that they be required to carry such insurance.

It was moved by Councilman Baumberger, seconded by Councilman Westall that the permits be granted. This motion carried.

A petition entitled "Board of Financial Control of Buncombe County vs. L. B. Jackson, Pacific Oil Company, City of Asheville and County of Buncombe was read. This petition requested that L. B. Jackson and the Pacific Oil Company, who owe certain notes to the Board of Financial Control by reason of the liquidation of certain securities be allowed to pay those notes with bonds due by the City of Asheville.

No action taken.

On motion, adjourned.

tels Thompson

Thursday, January 7, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney, and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

A resolution adopted by the Central Labor Union with reference to control of passenger motor vehicles of the City of Asheville was presented. The resolution petitioned the City Council not to permit the operation of any motor busses in the City engaged in the transportation of passengers for hir to operate with properly protecting the public with liability insurance, both as to person and property.

A communication from Miss Fannie Mabry requesting relief for the Smith[illegible] was presented. Mr. Hackney reported he had information that one family is a legal resident of Henderson County and that transportation and relief has been offered by that county but has been refused by the applicant for relief. No action taken.

The request of Mr. Lawrence A. H. Keith, Secretary of the Asheville Artist Guild, that space on the fifth floor of the city hall be given the Guild for headquarters was on motion of Councilman Miller, seconded by Councilman Rainey, ordered referred to the City Manager with power to act.

Mr. W. C. Moreland, President of the Labor Union, asked the City Council to cooperate in an endeavor to bring the 1935 convention of the American Federation of Labor to Asheville.

Councilman Little moved, seconded by Councilman Baumberger that a committee of the Council be appointed to draft a resolution inviting the American Federation of Labor to hold its next convention in Asheville and submit resolution at the next meeting. This motion carried and Mayor Wamboldt appointed Councilmen Little, Rainey and Baumberger.

Mr. McMahan on behalf of the operators of taxis to West Asheville requested that the permits granted at the last meeting be amended to rent a cent fare instead of 5 cent fare. A motion made by Councilman Baumberger that the permits be amended to read not to exceed 5 cents failing a second was lost.

An ordinance repealing Ordinance #187 was placed on its first reading. A roll call showed the following vote: "Ayes" Councilman Baumberger, Miller, Wamboldt and Westall, "Noes", Councilmen Boyd, Brookshire, Crow, Little and Rainey, the ordinance was declared defeated on its first reading.

A resolution recommending to the General Assembly of North Carolina the enactment of legislation providing for reduction in existing street, sewer and opening and widening district covering property in the City of Asheville: and providing for the payment of 1931 and 1932 ad valorem taxes in bonds was offered for consideration and on motion of Councilman Crow, seconded by Councilman Miller, ordered tabled until the next meeting.

Councilman Plott Boyd moved, seconded by Councilman Jack Westall that Resolution relating to ways and means of providing for a speedy readjustment of the public indebtedness of the city of Asheville in accordance with the ability of the people to pay same be adopted.

A roll call was tken as follows: Voting "aye" Councilmen Boyd, Brookshire, Crow Little, Miller, Rainey, Wamboldt and Westall, voting "no" Councilman Baumberger, the resolution was declared adopted.

RESOLUTION RELATING TO WAYS AND MEANS OF PROVIDING FOR A SPEEDY READJUSTMENT OF THE PUBLIC INEDBTEDNESS OF THE CITY OF ASHEVILLE IN ACCORDANCE WITH THE ABILITY OF THE PEOPLE TO PAY SAME.

WHEREAS, delay in the consummation of a debt refunding program for the City of Asheville will, in the opinion of the City Council, tend to delay the commencement of business recovery within said city; and

WHEREAS, delay in consummating such debt refunding program is proving detrimental to the best interests of the creditors of the City of Asheville: and

AND WHEREAS, it is the desire of the City Council of the City of Asheville to effe
specially and is consistent with the performance of the details involved, a debt
readjustment, based upon the ability of the people of Asheville to pay such indebtedne
without making such payments so burdensome as to retard recovery, development and fucu
growth of the City: and

AND WHEREAS, the City Council of the City of Asheville is informed by its attorneys
that they can file answers to the pending suits, instituted by the bondholders' and
noteholders' protective committees for the purpose of testing the validity of such iss
by not later than February 1, 1935, and can be ready for a hearing upon the same by the
15th to 25th of February, 1935: and

AND WHEREAS, with the exercise of a spirit of coooperation between the City Council
the City of Asheville and the bondholders' and noteholders' protective committees a de
readjustment plan can be speedily consummated in the United States Court for the Weste
District of North Carolina, where all are now parties, and having full confidence that
the resident judge of such court can and will, by consent of the parties, approved a p
of debt readjustment fair and equitable both to the City of Asheville and its creditors

BE IT NOW, THEREFORE, RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the City Council athorize the Corporation Counsel, contingent upon a l
ment of the bondholders' and noteholders' protective committees, to agree that the
of the United States Court for the Western District of North Carolina be requested to
appoint an auditor or special master, with direction to him to hear the evidence upon
note or bond issues as may be determined by the attorneys for the respective litigants
as being in real controversy as a result of the suits instituted by the said committees
same to be heard if possible within thirty days after February 15, 1935, and with a re
to be made by such auditor or special master, if possible, within ten days thereafter,
with an additional ten days allowed within which for the respective parties to file
exceptions to the report of the findings of fact and conclusions of law of such special
master.

2. That, during the time of the pendency of the findings of the said auditor
special master, and within twenty days after filing same in the office of the clerk of
the United States Court for the Western District of North Carolina, the said City of
Asheville and the said committees shall each present in writing to the Judge of the
United States Court for the Western District of North Carolina a proposed plan for debt
readjustment; and that at the time the Judge of the United States Court for the Western
District of North Carolina shall hear the argument of the respective parties upon their
exceptions to the findings of the auditor or special master the Judge shall also hear
the argument and evidence of the respective parties regarding their proposed plan of d
readjustment; and that the findings of the resident Judge of the United States Court f
the Western District of North Carolina regarding the report of said auditor or special
master, and also a proper plan of debt readjustment to be evolved by said Judge, after
considering said proposed plans and the evidence thereon, shall be final and shall be
entered by judgment therein.

BE IT FURTHER RESOLVED by the City Council of the City of Asheville that the
propositions herein shall constitute one entire and indivisible proposition which the
Corporation Counsel of the City of Asheville is authorized to present to the bondholder
and noteholders' committees and to the Judge of the United States Court for the Weste
District of North Carolina, to the end that there may be an equitable and speedy
determination of the existing controversies, and to the further end that they may be a
full, complete and final debt readjustment consummated without delay.

The reason that this should be a single proposition is to meet the following
objections:

(a) The so-called protective committees indicate that they are unwilling to
enter into immediate negotiations with the city lest the city try to procure adventage
in negotiations by threats of invalidity of certain paper, thus trading invalidity
fright for debt relief: and

(b) The city indicates that it is unwilling to concede validity, even in
instances where it might be justified, lest the committees use the whip handle of a
judgment, and the consequent mandamus, in order to force a debt readjustment more
favorable to themselves.

Both of the foregoing objections or arguments can be obviated by making the
validity question and the refunding question one matter, to be decided at the same
time by the resident Judge of the United States Court for the Western District of
North Carolina.

BE IT FURTHER RESOLVED that, in presenting a debt plan to the court, as provid
by this resolution, that it is the intention of the Council to cooperate and advise wi
the County Debt Advisory Committee, and to obtain expert data and information from all
possible sources, in order that the city may work out a city debt readjustment through
the court, and, at the same time, assist, and be assisted by, the county in consummati
a debt readjustment simultaneously and on the same basis.

BE IT FURTHER RESOLVED that the City Secretary be and she is hereby instructed
to forward at once, or within twenty-four hours, copies of this resolution to the
bondholders' committee and the noteholders' committee, or the chairman of such committ
and request those committees to give us their answer concerning the subject of this
resolution within, if possivle, a week, in order the plans may be rushed with greater
toward carrying out the suggested program promptly.

I move the adoption of the foregoing resolution this 3rd day of January, 1935.

Plott Boyd
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted this 3rd day of January, 1935.

Wickes Wambolt
MAYOR

E. G. Thomason
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

ORDINANCE

Mr. Hackney reported the ordinance regulating contest of endurance becomes effective on January 7th, and that a license has been given the Walkathon to operate through Sunday the 6th. Mr. J. Y. Jordan, on behalf of the Walkathon, requested that the Walkathon be allowed to operate until it winds up and made a formal application to be allowed to continue.

After discussion without a motion or vote, Mr. Hackney was informated in the opinion of the council it should be continued for another ten days to allow the Walkathon people to wind up its affairs here.

On motion, adjourned.

Wickes Wambolt
Mayor

E G Thompson
City Clerk

Thursday, January 10, 1935 - 3 P. M.

The City Council met in regular session: Mayor Wambolt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, R. G. Brookshire, Chas. E. Cowan, F. H. Miller, Wickes Wambolt and Jack Westall. City Manager, George L. Hackney and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

CLAIMS AGAINST CITY

A communication from Miss Minnie Moody in regard to her rescue fine relief was read. No action taken.

CLAIM - NELSON W. WELLS

Mr. Taylor Bledsoe, Attorney for Nelson W. Wells, filed claim for forty dollars for damage to automobile caused by automobile crashing into manhole at the intersection of Valley and Eagle Streets. A motion made by Councilman Baumberger, seconded by Councilman Miller that the claim be filed with the clerk and referred to the Corporation Counsel for consideration carried unanimously.

To the City Council of Asheville:

Nelson W. Wells, by his attorney Taylor Bledsoe, files this claim against the City of Asheville for forty dollars in damages which he sustained on the night of January 8, 1935, in the following manner:

I.

Your petitioner was driving his 1933 Chevrolet coach north on Valley Street, at about nine-thirty P. M., proceeding in a careful manner, and obeying the statutes and ordinances of the City, when at a point near the intersection of Valley and Eagle Streets he ran his car, thru no fault of his own, in a manhole, upon which there was no top.

II.

That a very heavy rain, and general falling weather and fog which was prevalent in the City on Valley Street at the time and place above mentioned, made it impossible for your petitioner to see that the cover was not the manhole, altho he was keeping a lookout and proceeding in a cautious manner.

III.

[illegible] the cover of the manhole had been off for several hours, during which time [illegible] city of other users of the street had been endangered, and that the [illegible] of the city had been notified in ample time of the fact that the cover to the manhole had been removed, but had negligently failed to replace it, which negligence was the cause of theplaintiff's damage.

IV.

That when the car of your petitioner dropped into the manhole is broke the tire, wheel, tube, bumper, axle and frame, all of which had to be repaired and repaid for, did damage your petitioner to the extent of forty dollars.

V.

Wherefore, your petitioner requests the honorable City Council to re-imburse him for the damage he has suffered, otherwise he wil speedily institute suit to secure redress according to law.

Submitted this the tenth day of January, 1935.

Nelson W. Wells, by
Taylor Bledsoe, Attorney.

[illegible]

Councilman Crow made a motion, which was seconded by Councilman Miller that a resolution recommending to the General Assembly of North Carolina the enactment of legislature providing for reduction in existing street, sewer and opening and widening [illegible] in property in the City of Asheville and providing for the payment of [illegible] ad valorem taxes in bonds which was tabled on January 3rd, be tabled and no other resolution substituted for it. This motion carried.

[illegible]

A resolution recommending to the General Assembly of North Carolina the enactment of legislation permitting the payment of ad valorem taxes due to the City of Asheville for 1932 and prior years in bonds or certificates of deposit was on motion of Councilman Crow, seconded by Councilman Miller, unanimously adopted.

RESOLUTION RECOMMENDING TO THE GENERAL ASSEMBLY OF NORTH CAROLINA THE ENACTMENT OF LEGISLATION PERMITTING THE PAYMENT OF AD VALOREM TAXES DUE TO THE CITY OF ASHEVILLE FOR 1932 AND PRIOR YEARS IN BONDS OR CERTIFICATES OF DEPOSIT.

WHEREAS, there is a large amount of ad valorem taxes due to the City of Asheville for the years 1932 and previous thereto: and

WHEREAS, the tax levies for those years were exceedingly high due to inflated values of the property, and high assessment ratings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Senator and representatives from Buncombe County in the General Assembly of North Carolina, session 1935, be and they are hereby requested to cause to be enacted by the General Assembly a law permitting ad valorem taxes due to the City of Asheville for the fiscal years 1932 and previous thereto to be paid entirely by tax bonds or certificates of deposit owing by the City of Asheville.

I move the adoption of the foregoing resolution, this 10th day of January, 1935.

Chas F. Crow
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

[illegible] adopted this 10th day of January, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

[illegible]
APPROVED AS TO FORM:
[illegible]
CORPORATION COUNSEL

[illegible]

Councilman Chas. F. Crow moved, seconded by Councilman Ernest H. Miller, that the Resolution recommending to the General Assembly of North Carolina the enactment of legislation providing for reduction in existing street, sewer and opening and widening assessments against private property in the City of Asheville be adopted.

A motion was made by Councilman Baumberger, seconded by Mayor Wamboldt, that the resolution lie on the table for one week on being put to a vote did not carry.

A vote was taken on the question of the resolution [illegible] Councilmen Brookshire, Crow, Miller [illegible] voting "aye", [illegible] Councilmen [illegible] voting "nay". Mayor Wamboldt voting "present". The resolution [illegible]

[illegible]

RESOLUTION [illegible] OF LEGISLATION [illegible] WIDENING [illegible]

WHEREAS, there [illegible] assessments in the City [illegible] sections; and

WHEREAS, the levies [illegible] reason of certain irregularities [illegible] lapse of time which has [illegible] such assessment [illegible]

WHEREAS, it is the opinion of the City Council that it [illegible] of the City if authority were granted by the Legislature [illegible] cancel such assessments in accordance with the facts underlying each [illegible] such manner as to eliminate existing inequalities [illegible]

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL [illegible]

That the Senator and representatives from Buncombe County be [illegible] requested to cause to be enacted by the General Assembly of North [illegible] such legislation as may conform to the spirit of this resolution, an [illegible] cancellation or adjustment of street paving, sewer, opening and widening assessments against real estate in the City of Asheville in such manner as to reduce the same in amount and eliminate existing inequalities as between property owners, and to permit the payment of such reduced amounts of assessments in valid bonds or certificates of deposit of the City of Asheville.

I move the adoption of the foregoing resolution, [illegible]

[illegible]

SECONDED BY: [illegible]

Read, approved and adopted: this [illegible] of January, [illegible]

[illegible]

APPROVED AS TO FORM:
J. E. Blackstock
CORPORATION COUNSEL

[illegible]

A resolution permitting the assignment of [illegible] B. by Chevrolet to Asheville was on motion of Councilmen Ernest H. Miller, seconded by Councilmen [illegible], unanimously adopted.

RESOLUTION [illegible] THE ASSIGNMENT OF [illegible] BY CHEVROLET.

WHEREAS, it is the opinion of the City Council that [illegible] Asheville should be in a Baseball League [illegible] during the summer months of the assignment of [illegible]

NOW, THEREFORE, BE IT [illegible]

1. That L. S. [illegible] Cincinnati Reds, be requested [illegible] of the circuit or club [illegible]

2. That it is the [illegible] render its moral support [illegible] promoting the success of [illegible]

I move the [illegible]

[illegible]

SECONDED BY: [illegible]

Read, approved and [illegible]

[illegible]

APPROVED AS TO FORM:
J. E. Blackstock
CORPORATION COUNSEL

On motion of Councilman Plott Boyd, seconded by Councilmen John E. Baumberger, Resolution inviting the American Federation of Labor to hold its 1935 convention in Asheville was unanimously adopted.

RESOLUTION INVITING THE AMERICAN FEDERATION OF LABOR TO HOLD ITS 1935 CONVENTION IN ASHEVILLE.

WHEREAS, it has been called to the notice of the City Council of the City of Asheville that the American Federation of Labor held their annual convention in the City of San Francisco in 1934 and that in all probability the 1935 convention will be held in the East or the South, certainly at some point in the eastern part of the United States; and

WHEREAS, it is the desire of the City Council to cooperate with the Asheville Central Labor Union, the Asheville Chamber of Commerce, and other civic organizations, in an effort to secure the 1935 session of the American Federation of Labor held in the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That an invitation be extended to the proper officials of the American Federation of Labor inviting them to hold their 1935 convention in the City of Asheville, and that a copy of this resolution be sent them.

BE IT FURTHER RESOLVED, that it is the desire of the City Council to give to the officials of the American Federation of Labor and the convention itself the assurance of their welcome and will be received with delight and pleasure to our citizens and that the Council stands ready to do everything in its power to make the meeting here both pleasant and profitable.

Upon the motion of the foregoing resolution, this 10th day of January, 1935.

Plott Boyd
COUNCILMAN
John E. Baumberger
COUNCILMAN

Upon motion, Council adjourned, this 10th day of January, 1935.

Wickes Wamboldt
MAYOR
E. G. Thompson
CITY CLERK

Councilmen Willis reported the committee appointed on change of name and zoning of city was not ready to report today and request the committee be given more time.

Mr. E. E. Eller spoke in favor to petitions filed requesting that the city be zoned by changing names of streets and asked that a report be made.

It was moved by Councilmen Baumberger, seconded by Mayor Wamboldt, that the [illegible] matters be considered at this meeting. A vote was taken as follows: "aye" Councilmen Boyd, Baumberger and Wamboldt, "no" Councilmen Brookshire, Crow, Westall and Willis, the motion was declared lost.

[illegible]

[illegible]

E. G. Thompson
City Clerk

January 17, 1935

[illegible] January 17, 1935 [illegible] P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, [illegible] E. Crow, Wickes Wamboldt, and Jack Westall, City Manager, George L. Heakney and Corporation Counsel, [illegible] Blackstock. The minutes of the previous meeting were read and approved.

[illegible]

A communication was read from a committee representing the Edward Buncombe Chapter of Daughters of American Revolution, requesting that the street leading from the tunnel at the city limits be named "De Soto Pass" with the tunnel to be known as the "De Soto Tunnel", in commemoration of the four hundredth anniversary of the famous march of De Soto through this section.

Miss May Jones, on behalf of the Veterans of Foreign Wars, stated the two roads leading to the city have already been named Old Hickory and Will [illegible] and requested that the street leading from the tunnel be named in honor of some World War veteran.

It was moved by Councilman Westall, seconded by Councilmen Boyd, Brookshire, that the question be referred to the Planning Commission for consideration.

[illegible]

Mr. E. E. Eller, [illegible] presented petitions to the Council [illegible] members, [illegible] requesting that streets running north and south, and east and west be renamed and zoned, stated he had been advised by the sponsors to withdraw the petitions for the present.

[illegible]

Mr. George W. Sanders, representative of the Society of Prevention of Cruelty to Animals, complained of the cruel manner in which animals are being treated at the sale of livestock in the city. It was explained there is a law to prevent cruelty to animals and Mr. Heakney would investigate the complaint.

[illegible]

A communication from Senator J. Hall Johnston, suggesting that the Council have Mr. Blackstock prepare such legislation as the Council thinks wise in regard to provisions of resolution recommending legislation providing for reduction in existing assessments against property in the city.

Councilman Westall moved, seconded by Councilmen Brookshire, that the Corporation Counsel, the City Manager, Councilmen Boyd and Councilmen Crow confer with Senator Johnston's suggestion, and present same to the Council at [illegible] motion carried.

[illegible]

It was moved by Councilman Baumberger, that the City Council consider the ordinance regulation [illegible] matters as stated by the [illegible] motion failed for want of a second.

[illegible]

A letter from Councilman Joseph W. Little, calling attention to the membership campaign of the Asheville Chamber of Commerce and asking that the Council support the movement, was read. No action taken.

[illegible]

Resolution requesting the legislature to enact a law giving the Council of the City of Asheville power to regulate the junk business was introduced, and on motion of Councilman Brookshire, seconded by Councilman Crow, matter tabled until the next meeting. The Corporation Counsel was instructed to investigate as to whether or not there is a law now existing regulating junk business.

[illegible]

A motion of Councilman Baumberger, seconded by Councilmen Crow that the City Manager be authorized to take all money necessary from the water revenues to pay employees of the water department as agreed upon prior to rate [illegible] motion carried.

On motion Council adjourned.

Mayor

E. G. Thompson
City Clerk

Thursday, January 24, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen E. H. Brookshire, Chas. F. Shaw, Joseph W. Little, E. H. Miller, Wickes Wambolt, Jack Westall and Corporation Counsel C. E. Blackstock. The minutes of [illegible] were approved.

A bill requesting the legislature to enact a law giving the Council of [illegible] to regulate the junk business was read, also an opinion [illegible] Counsel in which he cited the only North Carolina law which might be construed as giving authority to the Council to control places of handling [illegible] certain regulations.

A motion was made by Councilman Little, seconded by Councilman Brookshire, [illegible] that the Corporation Counsel draft and present at the next meeting [illegible] giving the Council authority to control the handling of junk business in the City.

Councilman [illegible], Chairman of the committee appointed to draft a bill on request of Mayor [illegible], presented a bill to be entitled "An act for the relief of the [illegible] of Buncombe County, which was read, and a motion made by Councilman Miller, [illegible] by Councilman Westall, and unanimously adopted, that the bill as read [illegible] Council of the Council and that the Corporation Counsel be requested [illegible] representatives from Buncombe County at the State Legislature [illegible] Council.

On motion of Councilman Jack Westall, seconded by Councilman Ernest H. Miller, [illegible] appointing the Board of Elections was unanimously adopted.

RESOLUTION APPOINTING CITY BOARD OF ELECTIONS

WHEREAS, the City Election Board, consisting of Owen Gudger, Joseph T. Sevier, Jr., and William Coleman, was appointed by the General Assembly of 1931; and

WHEREAS, the same Election Board was reappointed by the immediate preceding City Council in 1933; and

WHEREAS, this Election Board has in every instance rendered highly efficient, honorable service and has conducted the city elections in a manner that has been thoroughly creditable and entirely above suspicion.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That Owen Gudger, Joseph T. Sevier, Jr., and William Coleman are hereby [illegible] by the City Council as the City Election Board to conduct all city [illegible] for the year next succeeding this date of appointment.

I move the adoption of the foregoing resolution, this the 24th day of [illegible], 1935.

Jack Westall
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

[illegible], approved and adopted this 24th day of January, 1935.

Wickes Wambolt
MAYOR

ATTEST: F. G. Thomson
CITY CLERK

[illegible]: C. E. Blackstock
[illegible] ON JOHN H.

[illegible]

Councilman Brookshire, Chairman of the Bridge Committee, moved that a committee be appointed to prepare the necessary legislation to be used in case a toll bridge is built across the French Broad River; this motion was seconded by Councilman Little, and unanimously carried. Mayor Wambolt appointed Councilmen Brookshire, Little and Miller to constitute this committee.

[illegible]

A bill to be entitled, "An act relative to [illegible] and widening assessments within the City of Asheville, North Carolina" was read, on motion made by Councilman Westall, seconded by Councilman Miller and unanimously carried, that the bill be redrafted by the committee, that Councilman Little be added to the Committee, and that the committee be given power to act in forcing into the bill [illegible]

[illegible]

Councilman Little reported that he and Councilman Miller and Henry L. Parker of the County Board of Commissioners, made a trip last week-end in connection with the city governments and chambers of commerce of Charleston, Columbia and [illegible] to Knoxville, Tennessee, and Lexington Kentucky, in the interest of an air line to run from Charleston to Cincinnati via Asheville; that previous to the trip a meeting had been held at the Geo. Vanderbilt Hotel which was attended by members of the Asheville Chamber of Commerce and members of the City Council and the County Commissioners, at which meeting they were asked to make the trip. He further reported that the citizens of Knoxville and Lexington had endorsed the project and that he had since been informed that it had also been endorsed by the City of Cincinnati. He reported that the City Manager had paid expenses of himself and Mr. Miller on this trip.

On motion, adjourned.

Mayor

City Clerk

Thursday, January 31, 1935. 4:30 P. M.

The City Council met in regular session: Mayor Wemboldt presiding. Present: Councilmen Joseph T. Sevier, Sr., Clark Boyd, W. G. Brookshire, Chas. F. Chov, F. H. Miller, Vincent Wemboldt and Jack Westall, and City Manager George L. Hackney. The minutes of the previous meeting were read and approved.

A communication from Mr. V. [illegible]terbuck was read in which he tendered his resignation from the post on the Library Board due to the fact he has moved from Asheville.

A motion of Councilman Miller, seconded by Councilman Westall that the resignation be accepted with regret carried unanimously.

Oaths of office of Owen Gudger, Joseph T. Sevier, Jr., and William Coleman, newly elected members of the Municipal Election Board at the meeting on December [illegible], on motion of Councilman Miller, seconded by Councilman Boyd, were made a part of the records.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, Owen Gudger, do solemnly swear that I will support the Constitution of the United States and the Constitution of North Carolina not inconsistent therewith, to the best of my ability: so help me god.

Owen Gudger

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, Owen Gudger, do solemnly swear that I will faithfully and impartially, without fear or favor, perform the duties of a member of the Municipal Board of Elections for the City of Asheville to the best of my ability: so help me God.

Owen Gudger

The foregoing oaths were duly sworn to and subscribed before me, this the [illegible] day of January, 1935.

My commission expires
March [illegible], 1935. (SEAL)

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, J. T. Sevier, Jr., do solemnly swear that I will support the Constitution of the United States and the Constitution of North Carolina not inconsistent therewith, to the best of my ability, so help me god.

J. T. Sevier, Jr.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, J. T. Sevier, Jr., do solemnly swear that I will faithfully and impartially, without fear or favor, perform the duties of a member of the Municipal Board of Elections for the City of Asheville to the best of my ability: so help me god.

J. T. Sevier, Jr.

The foregoing oaths were duly sworn to and subscribed before me, this the [illegible] day of January, 1935.

Jean C. Barrow
Notary Public

My commission expires
March [illegible], 1935. (SEAL)

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, William Coleman, do solemnly swear that I will support the Constitution of the United States and the Constitution of North Carolina not inconsistent therewith, to the best of my ability: so help me God.

William Coleman

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, William Coleman, do solemnly swear that I will faithfully and impartially, without fear or favor, perform the duties of a member of the Municipal Board of Elections for the City of Asheville to the best of my ability: so help me God.

William Coleman

The foregoing oaths were duly sworn to and subscribed before me, this the [illegible] day of January, 1935.

My commission expires
March [illegible], 1935. (SEAL)

Jean C. Barrow
Notary Public

January [illegible], 1935

[illegible]

Councilman Miller [illegible] petitions [illegible] for the extension of street car service [illegible] the Beaucatcher section [illegible] Brownwood has been [illegible]

On motion of Councilman Boyd, [illegible] the Mayor to appoint [illegible] by the Chamberlain suit [illegible]

Councilmen [illegible] relief be afforded.

On motion of Councilman [illegible] unanimously adopted.

A petition from residents of Lexington Ave. [illegible] the evil, the installation of [illegible] to the City Manager for investigation [illegible]

Mr. A. G. Carmen, who stated he was representing the Rural Realty Co., [illegible] a schedule of water rates which had been discussed with Mr. J. [illegible] Manager. Mr. Carmen stated that if the [illegible] become effective April 1st in [illegible] Mr. Styles would be satisfied.

No action taken.

On motion, [illegible]

Mayor

City Clerk

Monday, [illegible]

The City Council [illegible] Councilmen Clark Boyd, [illegible] Mayor Wemboldt [illegible] Councilmen [illegible]

The minutes [illegible] Monday, January [illegible] meeting were [illegible] of the Mayor.

Mrs. F. C. Thompson
City Clerk
City of Asheville

Dear Mrs. Thompson:

Will you call a special meeting of the City Council for Monday, January [illegible], at 10 o'clock, noon, in the Council Chamber for the election of officers who wish to [illegible] the City Council [illegible] Civil Service Law.

Cordially yours,
Vincent Wemboldt
Mayor of Asheville

[illegible] by the Mayor for Mondy, [illegible] Room, in the Council Chamber to receive [illegible] to the City Council [illegible]

E. G. Thompson
City Clerk

[illegible] citizens, taxpayers and tax payers of the City of Asheville [illegible] they refuse to comply with the Civil Service Act and [illegible] enforcement thereof.

[illegible] taxpayers of the City of Asheville, [illegible] passed by the General Assembly of [illegible] Civil Service Board for the [illegible], is unconstitutional and void, and being of the opinion [illegible] will be injurious to the city and property [illegible] burdens upon the taxpayers of [illegible], that you refuse to comply with said act, and take [illegible] enforcement thereof.

Reuben Roberson
Robert S. Jones
T. J. Smith
Joseph Dove
L. L. Lee
Robert S. Jones
Mrs. M. White
H. H. Thoms
Martin A. York

[illegible] February 7, 1935. Geo. L. Heakney

[illegible] Corporation Counsel, was read [illegible] that the bill in question is now a law until [illegible] constitutionality, it is the duty [illegible] the proper provisions of said law.

February 7, 1935

[illegible] Council

[illegible]

[illegible] Council will desire me, as Assistant Corporation [illegible] title, to render a legal opinion as to whether [illegible] Council must comply with the provisions of the new Civil Service [illegible] by the General Assembly of North Carolina, it is my [illegible] bill in question is now a law, and, until some court [illegible] constitutionality, then it is the [illegible] Council to comply with each and every provision of the [illegible]

Yours very truly
Philip C. Cooke, Jr.
Assistant Corporation Counsel

[illegible] by Councilman Miller, seconded by Councilman Westall, that [illegible] Corporation Counsel, the City Council respectfully [illegible]

[illegible] Councilmen Newberry, bearing upon the subject, was read.

[illegible] motion, all members of the Council voting "aye", the [illegible]

E. G. Thompson
City Clerk

Mayor

February 7 1935

Thursday, February 7, 1935 7:30 P. M.

The City Council met in regular session: Mayor Wenhold presiding. Present: Councilmen Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Miller, Wickes Wemhold and Jack Westall. City Manager, Guy C. Hecker, City Attorney, C. R. Blackstock. The minutes of the previous meetings were read and approved.

Mr. Chas. F. Westall, Consulting Engineer, made [illegible] water supply from the date the Bee Tree Dam was completed [illegible] suggested together with notes and recommendation. Considerable discussion [illegible] the Council on the fact that the water system is in [illegible]

The resolution authorizing the Mayor to execute quit claim [illegible] by the City of Asheville by tax foreclosure suit which was [illegible] that was at the request of Councilman Boyd withdrawn.

On motion of Councilman Ernest F. Miller, seconded by Councilman [illegible] a resolution regarding the establishment of a tuberculosis [illegible] the state was unanimously adopted.

RESOLUTION

WHEREAS, there is now pending before the legislature of North Carolina a bill which has for its purpose the establishment of a tuberculosis sanitorium in the western part of the state; and

WHEREAS, Western North Carolina by reason of its climate, accessibility, economy, good water, and other reasons, is most favorably situated for the establishment of such an institution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL [illegible]:

That we recommend the passage of the bill, and [illegible] in any manner that may lie within our power to bring about the location of such an institution at the most possible point in western North Carolina.

I move the adoption of the foregoing resolution.

Ernest F. Miller

ATTEST:
Joseph W. Miller
COUNCILMAN

Read, approved and adopted this 7th day of February, 1935.

Wickes Wemhold
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. R. Blackstock
CORPORATION COUNSEL

An ordinance providing for water rates [illegible] Councilman Miller to substitute the ordinance providing for water rates [illegible] Councilmen Westall, Little and Chas. F. Crow, and [illegible] on the roll call [illegible]

Mr. Heakney [illegible] for consent in [illegible]

The Park service of the federal government [illegible] CCC camps in the various states for the development of state parks. [illegible] There is a possibility of getting one camp to [illegible] Company, or both, should procure from [illegible] be added to the state. The camp would be established near [illegible] employed from nine to twelve months [illegible] etc. would be made. An administration building, [illegible] would be a kind of game refuge. Traffic would be [illegible] and inside the park built, on which [illegible] to the City or County except the [illegible]

The government expects to spend not less than [illegible] the Department of Conservation and Development [illegible] of these parks. The officer in charge of the Southern [illegible] is expected to visit this section of the state in [illegible] suggesting that a committee be appointed to [illegible] representative of the government engineer [illegible]

I think the matter is worthy of the most serious consideration. I feel that it something that will be of permanent value to this ection of the state, and if there is any possibility of meeting the demands of the government and the state, we should certainly put ourselves in a position to take advantage of it.

Geo. H. Hackney City Manager.

It was moved by Councilman Miller, seconded by Councilmen Crow, that a committee be appointed to take this matter up with the County Commissioners and the Board of Fire Control and to meet with the representative of the government. This motion carried and Mayor Wamboldt appointed on this committee: Councilmen Miller, Crow and Boyd, and Mr. Hackney.

On motion, adjourned.

Mayor

City Clerk

Thursday, February 14, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John F. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, E. H. Miller, Vivian Wamboldt and Jack Westall, City Manager George L. Hackney and Corporation Counsel, C. T. Blackstock. The minutes of the previous meeting were read and approved.

The resignation of William Coleman as a member of the Municipal Board of Elections was presented and accepted with regrets.

Messrs. J. H. Sullivan and E. A. Frye, residents of South French Broad Avenue, appeared before the Council and asked that the Carolina Light & Power Company be requested to give bus service from Pack Square down South French Broad Avenue to the Depot.

A motion of Councilmen Miller, seconded by Councilmen Westall that Mr. Sullivan and Mr. Frye work with the Committee appointed by the Council, and make a request of the Carolina Power & Light Company to provide service as requested, was unanimously adopted.

Mr. James F. Rector, Attorney, filed notices of claim of C. C. Robinson and J. R. Stevens against the City for damages to property caused by overflow of sewer, which were ordered referred to the Corporation Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

C. C. ROBINSON
Claimant
vs.
THE CITY OF ASHEVILLE

CLAIM FOR DAMAGES

TO THE HONORABLE MAYOR AND BOARD OF CITY COUNCIL:

NOW COMES the above claimant, C. C. Robinson, through his counsel, George F. Meadows, and makes formal demandupon you, and hereby, serves notice upon you as provided by law, therefor, for the payment of the sum One Hundred ($100.00) Dollars for damages sustained by said claimant on the 8th day of February, 1935, as a result of the negligence of the City of Asheville, in allowing the sewer main line to become stopped up, in thereby, causing the same to back the sewer line running from the said main sewer to plaintiff's place of business and causing the same to overflow therefrom into the plaintiff's said place of business, which is located at #23 Hendersonville Road in the town of Biltmore.

The damages so sustained are as follows:

1. The refuse matter, toilet paper and sewerage and other waste matters not not herein enumerated overflowed the lavatory in the building occupied by the plaintiff, and thereby, caused same to flood claimant's barber shop and large quantities of filth and waste accumulated thereon, and is still under said building.

February 14, 1935

2. That this claimant owns and operates a barber shop under the name of "Plaza Barber Shop," and as a direct and proximate result of the negligence of the City of Asheville, in allowing said sewer line to become stopped up, as aforesaid, caused this claimant to expend much time and expense in clearing out his said shop, as well as, great embarrassment and humiliation, by reason of the noxious odors which prevented him from conducting his said business and waiting on his customers.

3. That this claimant, as he is advised and believes, has suffered damages to his said business and otherwise, by reason of the negligence and wrongful act of the City of Asheville in permitting said sewer to become out of repair, and thereby, causing said sewerage to back up and overflow into plaintiff's place of business as hereinbefore mentioned.

WHEREFORE, this claimant respectfully requests this Honorable Board to allow his claim for damages to said business by reason of the matters herein set forth in the sum of One Hundred ($100.00) Dollars.

Respectfully submitted
C. C. ROBINSON, CLAIMANT
BY: Geo. F. Meadows.
Attorney for Claimant

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

J. R. STEVENS
Claimant
vs.
THE CITY OF ASHEVILLE.

CLAIM FOR DAMAGES TO PERSONAL PROPERTY AND BUSINESS.

TO THE HONORABLE MAYOR AND BOARD OF CITY COUNCIL:

NOW COMES, the above claimant through his Counsel, George F. Meadows, and files claim against the City of Asheville for damages to his property occasioned by the overflow of the main sewer on or about February 8, 1935, thereby, damaging the same in thesum of One Hundred ($100.00) Dollars. The facts supporting said claim are in the following respects:

1. The refuse matter, toilet paper and sewerage which passes through the main in the town of Biltmore, on the aforesaid date become stopped and as a result thereof, said sewer line leading from said main sewer backed the waste and filth as well as the sewerage, and caused same to overflow up through claimant's lavatory which is located in his store building, and as a result thereof, his said store building was flooded and waste and filth accumulated in large quantities in said store building, and ran through said floor and large quantities of said waste and filth settled in the basement of said store building, as well as, great damage and loss to plaintiff's wares and embarrassment and humiliation and embarrassment.

2. That this claimant owns and operates a grocery store in the town of Biltmore, located at #28 Hendersonville Road; that by reason of the matters and things herein set forth, the plaintiff has sustained as damages, by reason of the waste and sewerage deposited in his said building and place of business, and as a result thereof, was caused to expend considerable time and labor in cleaning his store building in order to enable his customers to come in.

3. That this claimant, as he is advised and believes, has suffered damages to his said property and business and therwise, because of the negligence and wrongful act of the City of Asheville in allowing said sewer to become out of repair, thereby, causing said sewerage to back up into plaintiff's place of business.

WHEREFORE, this claimant requests this Honorable Board to allow his claim for damages to said property by reason of the matters herein set forth, in the sum of One Hundred ($100.00) Dollars.

Respectfully submitted
J. R. STEVENS
BY: Geo. F. Meadows
Attorney for Claimant

It was moved by Councilman Miller, seconded by Councilman Crow that An Ordin... Providing for Water Rates and Charges be passed on its first reading.

The ordinance provides that the rates become effective July 1, 1935.

Councilman Baumberger moved that the ordinance become effective immediately o... No second to this motion.

Councilman Brookshire moved that the matter be deferred for one week, this motion was not seconded.

A vote was then taken on the motion, voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Miller, Wamboldt and Westall, the ordinance was declared passed on its first reading.

A motion of Councilman Baumberger that the rules be suspended and the ordinance placed on its second and third readings, did not receive a second.

On motion of Councilman Boyd, seconded by Councilman Miller, the petitions of Clyde E. Fleming and L. H. Sprinkle, for transfer of permit to operate the Beaverdam Bus Line to Clyde E. Fleming; L. H. Sprinkle having sold all of his interest in and to said permit and bus line to Clyde E. Fleming, was unanimously granted.

The recommendation of the City Planning Commission that the corner at the intersection of Murdock and Coleman Avenues be widened and rounded was ordered referred to the City Manager for consideration.

A report from the City Planning Commission on the request of the Edward Buncombe Chapter of the D. A. R. that the highway leading to the Tunnel and the Tunnel be renamed Cota Pass was read. The report stated that the Commission was of the opinion that the should be deferred until a decision is reached in regard to naming the entire passage through the city from north to south and from east to west of the converging federal and state highways.

It was moved by Councilman Miller, seconded by Councilman Crow voted on and ... of the City Planning Commission be adopted.

An ordinance prohibiting establishment or enlargement of automobile or other ... yards in the City of Asheville without a special permit of the City Council of the City Asheville was presented to be placed on the calendar for consideration at the next meet...

Mr. Hackney presented a list of projects for consideration of the State author... in allocating P. W. A. funds for the various cities; the total amount involved being approximately $2,000,000.

Mr. Boyd suggested the addition of an electrical distribution system.

On motion, adjourned.

Mayor

E. G. Thompson
City Clerk

Thursday, February 21, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, and Wikes Wamboldt, City Manager George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

Messrs. J. Y. Jordan Jr. and John P. Curran appeared before the Council and requested that the City offer the use of McCormick Field to the St. Louis Cardinals should they decide to place a baseball team in Asheville the coming season.

A motion made by Councilman Miller, seconded by Councilman Crow, that the City offer free use of the McCormick Field provided Asheville can get ...ganized baseball was unanimously carried.

An ordinance providing for water rates and charges was passed on its second reading the following Councilmen voting "aye" Councilmen Boyd, Brookshire, Crow, Little, Miller, and Wamboldt, the ordinance was declared passed on its second reading.

On motion of Councilman H. G. Brookshire, seconded by Councilman Ernest H. Miller, An ordinance prohibiting establishment or enlargement of automobile or other junk yards in the City of Asheville without a special permit of the City Council of the City of Asheville was passed on its first reading: voting "aye" Councilmen Boyd, Brookshire, Crow, Little, Miller and Wamboldt.

A communication was read from the Municipal Board of Elections, enclosing itemized bills in the amount of $325.00 for preliminary work in connection with the Municipal Primary and General Election.

A motion of Councilman Miller, seconded by Councilman Crow that the bill be paid on being put to a vote did not carry.

On motion of Councilman H. G. Brookshire, seconded by Councilman Joseph W. Little, Resolution appointing George L. Hackney as special agent for the City of Asheville to interview property owners affexted by the proposed widening and re-locating of Haywood Road was adopted.

RESOLUTION APPOINTING GEORGE L. HACKNEY AS SPECIAL AGENT FOR THE CITY OF ASHEVILLE TO INTERVIEW PROPERTY OWNERS AFFECTED BY THE PROPOSED WIDENING AND RE-LOCATING OF HAYWOOD ROAD.

WHEREAS, it appears to the Council of the City of Asheville that it is necessary to widen and re-locate a certain thoroughfare in the City of Asheville known as Haywood Road; and

WHEREAS, under the law governing condemnation proceedings it becomes necessary for the Council of the City of Asheville to appoint a special agent to interview property owners affected by any such condemnation proceeding.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That George L. Hackney be and he is hereby appointed as special agent for the City of Asheville to interview all property owners affected by the proposed widening and re-locating of Haywood Road.

I move the adoption of the foregoing resolution.

H. G. Brookshire
COUNCILMAN

SECONDED BY: Joseph W. Little
COUNCILMAN

Read, approved and adopted, this 21st day of February, 1935.

Wikes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL

RESOLUTION REQUESTING HIGHWAY FUNDS FOR MAINTENANCE ROADS AND HIGHWAYS

On motion of Councilman Ernest H. Miller, seconded by Councilman Platt Boyd, Resolution requesting General Assembly to allocate $1,000,000.00 of State Highway funds to cities and towns to maintain roads and highways within the cities and towns of the s was adopted.

RESOLUTION REQUESTING GENERAL ASSEMBLY TO ALLOCATE $1,000,000.00 OF STATE HIGHWAY FUNDS TO CITIES AND TOWNS TO MAINTAIN ROADS AND HIGHWAYS WITHIN THE CITIES AND TOWNS OF THE STATE.

WHEREAS, the State of North Carolina collects gasoline and motor vehicle license taxes in an amount sufficient to provide for the maintenance of all roads and highways within the state: and

WHEREAS, the State of North Carolina permits no part of these highway funds to be spent for the maintenance or replacement of state highways or county roads within the cities and towns having a population in excess of 2,500 persons; and

WHEREAS, the residents of cities and towns pay more than fifty percent of the highway revenue collected by the State of North Carolina but are compelled to pay by city assessments the cost of paving state highways in front of their urban property and are further required to pay property taxes in order to maintain the same: and

WHEREAS, the State of North Carolina collects a substantial tax from the gas-propelled freight and passenger trucks which operate on the highways within the cities and towns but prohibits the cities and towns from collecting any tax from these destructive agencies: and

WHEREAS, the owners of property in cities and towns should not be compelled to bear the burden of this unjust and discriminatory policy.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the General Assembly of North Carolina be requested to allocate not less than $1,000,000 of State Highway revenues to the maintenance of roads and highways within cities and towns of the state.

I move the adoption of the foregoing resolution, this 21st day of February, 1935.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Plott Boyd
COUNCILMAN

Read, approved and adopted, this 21st day of February, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

A motion of Councilman Crow, seconded by Councilman Miller that the request the City Manager that the Council approve the purchase of a small truck for the water department be granted carried unanimously.

It was moved by Councilman Boyd, seconded by Councilman Miller that this meet recess until tomorrow at 12 o'clock noon.

Mayor

E. G. Thompson
City Clerk

February 22, 1935

Friday, February 22, 1935- 12 o'clock, Noon.

The City Council met in recess meeting; Mayor Wamboldt presiding. Present: Councilmen John B. Baumberger, Plott Boyd, Chas. F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey and Wickes Wamboldt, and City Manager, George L. Hackney.

HAYWOOD ROAD WIDENING

Mr. George L. Hackney, special agent for the City to interview property owners affected by the proposed widening and re-locating of Haywood Road, reported he had been able to agree with all of the property owners affected except three.

February 22, 1935.

To the Honorable City Council
City of Asheville, N. C.

In re: Widening and re-locating of Haywood Road in the City of Asheville.

Gentlemen:

Having been appointed as agent of this body to interview owners whose property will be affected by the widening and re-locating of Haywood Road, as shown by map #4-775 made by R. L. Maynard, City Engineer, I beg leave to report that I Have been able to agree with all of the property owners affected thereby except three, namely:

Mrs. Hazel Jones, lot 54, sheet 24, ward 5
Mrs. J. B. Barnhardt, lots 89 and 90, sheet 22, ward 5
Metropolitan Life Insurance Company, lot 163, sheet 22, ward 5.

Therefore, I recommend to the City Council that the Council pass the necessary resolution and commence the necessary proceedings to condemn, in accordance with law, the portions of the lots just named which are necessary to be used in the widening and re-locating of said Haywood Road, as shown by the aforesaid map.

Respectfully submitted,
George L. Hackney, City Manager.

HAYWOOD ROAD-RESOLUTION AUTHORIZING MAYOR TO ISSUE WRIT

On motion of Councilman Ernest H. Miller, seconded by Councilman H. W. Rainey, Resolution authorizing the Mayor of the City of Asheville to issue his writ in the proposed widening and re-locating of Haywood Road was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO ISSUE HIS WRIT IN THE PROPOSED WIDENING AND RE-LOCATING OF HAYWOOD ROAD.

WHEREAS, George L. Hackney was appointed special agent for the City of Asheville to interview and endeavor to reach an agreement with property owners affected by the herein resolution of widening and re-locating Haywood Road: and

WHEREAS, the said George L. Hackney reports to the Mayor and City Council that he has interviewed said property owners affected by the proposed improvement, and has been unable to reach an agreement with the following property owners, namely: Mrs. Hazel Jones, lot 54, sheet 24, ward 5: Mrs. J. B. Barnhardt, lots 89 and 90, sheet 22, ward 5: Metropolitan Life Insurance Company, lot 163, sheet 22, ward 5, being the only property owners that the said agent is unable to reach an agreement with:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the Honorable Wickes Wamboldt, Mayor of the City of Asheville, be and he is hereby authorized to issue his writ, commanding a policeman to summon a jury of six freeholders, and that said six jurors shall be unconnected by consanguinity or affinity with any of the persons affected or supposed to be affected by said improvement.

2. That such policeman is hereby directed, in obedience to said writ, and in compliance with Article 1, Section 287, Pennell's Code, to summon a jury of six freeholders, as aforesaid, and direct them to assemble at the Mayor's office in the City of Asheville at a time to be appointed by such policeman, not less than twenty nor more than thirty days after the date of said writ.

3. That such policeman shall see and interview each and every property owner affected by the proposed widening and re-locating of Haywood Road, and then and there notify said property owners of the time and place of the meeting of the jury. Said policeman shall further notify the property owners affected, said notice to be in writing and signed by said policeman, and addressed to the

person or persons upon whom service thereof is made, at least fifteen days before said meeting of the jury, in compliance with Article 1, Section 288, Pennell's Code.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: H. W. Rainey
COUNCILMAN

Read, approved and adopted, this 22nd day of February, 1935

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. E. Blackstock
CORPORATION COUNSEL

✓ [illegible]

Councilman Miller nominated Alfred Manley, Principal of the Stephens-Lee School, as chairman of the colored library board to fill the vacancy caued by the death of Walter Lee. A vote was taken and Alfred Manley was unanimously elected as chairman of the Colored Library Board.

✓ [illegible]

Mr. Geo. L. Hackney, City Manager, announced the appointment of Dr. John W. Williams as Health Officer to fill the vacancy caused by the death of Dr. D. E. Sevier.

✓ [illegible]

It was moved by Councilman Miller, seconded by Councilman Crow, that the following minutes of a joint meeting of the City Council and the County Commissioners held on Febriary 21, 1935 be ordered embodied in the minutes:

"A joint meeting of the City Council and the County Commissioners was held in the City Manager's office on February 21, 1935, a majority of both governing bodies being present. On motion of Mr. J. Grady Reagan, duly seconded Mr. E. H. Miller was made chairman of the joint meeting. Mr. Miller stated the object of the meeting was the election of a judge for the Juvenile Court. Judge J. Frazier Glenn was placed in nomination and unanimously elected, after which the meeting adjourned."

✓ [illegible]

Councilman Miller moved that the vacancy on the Boxing Commission be filled, this motion carried and Mr George Bramlett was nominationed by Councilman Miller, and Mr. Arthur York by Councilman Crow.

A vote was taken and Mr. Bramlett was elected to fill the vacancy on the boxi commission.

[illegible]

A motion of Councilman Miller, seconded by Councilman Baumberger, that the bill of the Election Board be considered carried, and a motion of Councilman Miller, seconded by Councilman Rainey, that the bill of the Board of Elections, composed of Messrs. Owen Gudger and J. T. Sevier Jr., not to exceed $325.00 be authorized for payment when the bill is put in proper form, carried.

✓ [illegible]

Resolution relinquishing any right, title or interest the City of Asheville may have in an alley known as Gulley Street was presented and on motion of Councilman Crow, seconded by Councilman Rainey, unanimously ordered referred to the Corporation Counsel and the City Manager for investigation and report.

✓ [illegible]

Councilman Little reported that on Saturday, Feb. 24th, had had an appointment with Judge Webb at Shirley to argue the motion to make the City of Asheville a party defendant in the $150,000 damage suit against members of the City Council and the City Manager. He further stated that he had had frequent correspondence with Judge Webb and attorneys for the plaintiffs over a period of two months trying to get a definite date set for this hearing and finally Judge Webb had ordered the matter heard on Feb. 24th. He stated that all attorneys in the case had been notified and that he thought the members of the Council and the Manager ought to be informed of the situation. Mr. Little said that he and his associates had drawn and filed pleas for all the councilmen and the different pleas had been drawn, this being necessary in order to present the different questions to which the defendants may be entitled.

On motion, adjourned.

Mayor

City Clerk

Thursday, February 28, 1935 - 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey and Wickes Wamboldt, City Manager, George L. Hackney and Corporation Counsel, C. A. Blackstock. The minutes of the previous meeting were read and approved.

[illegible]

A communication from Mr. G. A. Thomasson, guardian of Jessie, Daisy and Levard Capps, requesting damages awarded his wards by reason of condemnation of property on North Fork by jury in April 1927 was presented and ordered referred to the Corporation Counsel.

[illegible]

Mr. J. Scroop Styles appeared before the Council and stated he wished to confer with the Corporation Counsel and asked that action on the Ordinance providing for water rates and charges be deferred for one week. No action taken.

[illegible]

Ordinance #219- entitled An ordinance providing for water rates and charges was considered on its third and final reading.

A vote was taken as follows: Voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Rainey Wamboldt and Westall, the ordinance was declared adopted.

ORDINANCE #219

AN ORDINANCE PROVIDING FOR WATER RATES AND CHARGES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That from and after July 1st, 1935 the water rates and charges for use from the municipal water supply shall be:

Minimum rate per month, $ .50, allowing 2.250 gallons.											
First	5,000	gallons or fraction thereof used per month						33¢	per	1,000	gals.
Next	10,000	"	"	"	"	"	"	31¢	"	"	"
"	15,000	"	"	"	"	"	"	30¢	"	"	"
"	20,000	"	"	"	"	"	"	28¢	"	"	"
"	50,000	"	"	"	"	"	"	26¢	"	"	"
"	100,000	"	"	"	"	"	"	22¢	"	"	"
"	100,000	"	"	"	"	"	"	18¢	"	"	"
"	100,000	"	"	"	"	"	"	15¢	"	"	"
"	100,000	"	"	"	"	"	"	12¢	"	"	"
All water used over 500,000 gallons, 10¢ per 1,000 gallons.											

Section 2. That the rent on water meters, per month, shall be:

5/8	in.	10¢	per month
3/4	in.	12¢	" "
1	in.	18¢	" "
1 1/2	in.	50¢	" "
2	in.	65¢	" "
3	in.	1.25	" "
4	in.	2.00	" "
6	in.	4.50	" "
8	in.	6.50	" "
12	in. --- Crest Meter	7.00	" "

Section 3. All applications for city water shall be accompanied by a deposit of not less than $2.50 nor more than $100.00, the amount of the deposit to be based upon thenumber of hydrants or spigots or connections from which water will be used, which deposit shall be used to secure the city against loss on account of discontinuance of use of water and failure to pay rent, and in no case shall a permit be granted for use of city water until the deposit shall have been made.

Section 4. That the provisions contained in Ordinance No. 217 are not repealed by this ordinance and shall remain in full force and effect.

Section 5. That the following ordinances are hereby repealed: Ordinance No. 132, being entitled: "An Ordinance Providing for Water Rates and Charges": Ordinance No. 67, being an ordinance entitled: "An Ordinance Providing for Water Charges and Rates"; and Section 1103 of Pennell's Code, said section being entitled: "Deposit Must Be Made Before Water Supplied".

I move the adoption of the foregoing ordinance, this the 14th day of February, 1935.

SECONDED BY: Ernest H. Miller COUNCILMAN
Joseph W. Little COUNCILMAN

Read, approved and adopted, this the 28th day of February, 1935, to become effective according to statute on the 1st day of July, 1935.

APPROVED AS TO FORM:
J. E. Blackstock
CORPORATION COUNSEL

Wickes Wamboldt MAYOR
E. G. Thompson CITY CLERK

An ordinance prohibiting establishment or enlargement of automobile or [illegible] junk yards in the City of Asheville without a special permit of the City Council of the City of Asheville was offered for consideration on its second reading.

The following vote was taken: Councilmen Boyd, Brookshire, Crow, Little, Miller, Rainey, Wamboldt and Westall voted "aye", Councilman Baumberger voted "no", the ordinance was declared passed on its second reading.

Councilman Boyd, Chairman of Utility Committee, reported he had a conference with Mr. Walters with regard to bus line from the Square down French Broad Avenue to the Depot and said the Caroline Power & Light Company had proposed a twenty minute schedule.

A motion was made by Councilman Miller, seconded by Councilman Westall, voted on and carried, that the matter be referred to the Corporation Counsel for a ruling on the franchises.

Councilman Little reporting on the $150,000 damage suit of Henry W. George et the City Council stated that Judge E. Y. Webb had agreed to sign an order to make the City of Asheville party defendant in the case.

On motion of Councilman Baumberger, seconded by Councilman Crow, A Resolution requesting the District Federal Judge to determine appropriate counsel fees to be paid for the defense of the above entitled action on behalf of individual defendants was unanimously adopted.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

Henry W. George, Harold Palagane,
John S. Harris, Henry Hart, Fred
P. Hayward and William C. O'Keeffe.
vs.
Wickes Wamboldt, Geo. L. Hackney, Jack Westall,
John E. Baumberger, Plott Boyd, H. G. Brookshire,
Charles F. Crow, Joseph W. Little, Ernest H. Miller
and H. W. Rainey.

RESOLUTION

RESOLUTION REQUESTING THE DISTRICT FEDERAL JUDGE TO DETERMINE APPROPRIATE COUNSEL FEES TO BE PAID FOR THE DEFENSE OF THE ABOVE ENTITLED ACTION ON BEHALF OF INDIVIDUAL DEFENDANTS.

WHEREAS the above entitled action is a damage suit brought by the plaintiffs against the defendants in their individual capacity whereby the plaintiffs seek to recover the sum of $150,000.00 as damages, and

WHEREAS the defendants have already prepared and filed certain pleas and defenses and desire to be fully represented by counsel throughout the entire course and conduct of the case.

NOW be it resolved that we hereby request his Honor E. Y. WEBB, U. S. District Judge, to consider the services performed on behalf of the individual defendants and to make such orders and allowances for counsel fees for counsel for the individual defendants herein as to him may seem just and proper; Provided such fees are paid from the water fund.

I move the adoption of the foregoing resolution this February 28, 1935.

John E. Baumberger
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this February 28, 1935.

Wickes Wamboldt
MAYOR
E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

A motion of Councilman Miller, seconded by Councilman Rainey, that the Corporation Counsel obtain whatever legal assistance necessary to aid him in handling the case, carried unanimously

A petition signed by 145 citizens of Biltmore section requesting that the bus be extended as far as Biltmore High School was presented and on motion of Councilman Rainey, seconded by Councilman Westall, ordered referred to the Carolina Power & Light Company for consideration.

On motion of Councilman H. G. Brookshire, seconded by Councilman Jack Westall a resolution to authorize the widening and relocation of a portion of Haywood Road in the City of Asheville known as State Highway and Public Works Commission Project #9071, was unanimously adopted.

A RESOLUTION TO AUTHORIZE THE WIDENING AND RELOCATION OF A PORTION OF HAYWOOD ROAD IN THE CITY OF ASHEVILLE KNOWN AS STATE HIGHWAY AND PUBLIC WORKS COMMISSION PROJECT #9071.

WHEREAS, that improvement designated by the State Highway and Public Works Commission as Project #9071, is considered to be the most necessary improvement in the highway system in the corporate limits of the said municipality, for the promotion of public safety and conveninece.

NOW, THEREFORE, BE IT RESOLVED that the above Project #9071 be and is hereby formally approved by the City Council of the said municipality, and that the Mayor and Clerk of the said municipality be and are hereby empowered to sign and execute the required agreements between the said municipality and the State Highway and Public Works Commission.

I move the adoption of the foregoing resolution.

H. G. Brookshire,
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this 28th day of February, 1935

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

[illegible] RESOLUTION ALLOCATING SEVENTH FLOOR -

Resolution allocating the seventh floor of the City Hall building to the Library Board to be used for the Sondley Reference Library was on motion of Councilman Jack Westall, seconded by Councilman H. G. Brookshire, unanimously adopted.

RESOLUTION ALLOCATING THE SEVENTH FLOOR OF THE CITY HALL BUILDING TO THE LIBRARY BOARD TO BE USED FOR THE SONDLEY REFERENCE LIBRARY.

WHEREAS, the City of Asheville acquired through the will of the late Foster A. Sondley what is known as the Sondley Library; and

WHEREAS, this library will be of untold benefit to the citizens of this community and to the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the seventh floor of the City Hall be and it is hereby allocated to the Library Board of the City of Asheville for the use of the Sondley Reference Library.

BE IT FURTHER RESOLVED that the City Manager be authorized and directed and is hereby empowered to make necessary alterations on the above mentioned seventh floor to fit the use of the Sondley Library, and the expenses incurred must be limited to that permitted in the budget of the City of Asheville for that particular purpose for the year 1934-35.

I move the adoption of the foregoing resolution.

Jack Westall
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved and adopted, this 28th day of February, 1935.

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Wickes Wamboldt
MAYOR
E. G. Thompson
CITY CLERK

An ordinance prohibiting establishment or enlargement of automobile or other junk yards in the City of Asheville without a special permit of the City Council of the City of Asheville was offered for consideration on its second reading.

The following vote was taken: Councilmen Boyd, Brookshire, Crow, Little, Miller, Rainey, Wamboldt and Westall voted "aye", Councilman Baumberger voted "no", the ordinance was declared passed on its second reading.

Councilman Boyd, Chairman of Utility Committee, reported he had a conference with Mr. Walters with regard to bus line from the Square down French Broad Avenue to the Depot and said the Caroline Power & Light Company had proposed a twenty minute schedule.

A motion was made by Councilman Miller, seconded by Councilman Westall, voted on and carried, that the matter be referred to the Corporation Counsel for a ruling on the franchises.

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On motion of Councilman Baumberger, seconded by Councilman Crow, A Resolution requesting the District Federal Judge to determine appropriate counsel fees to be paid for the defense of the above entitled action on behalf of individual defendants was unanimously adopted.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

Henry W. George, Harold Palagane,
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vs.
Wickes Wamboldt, Geo. L. Hackney, Jack Westall,
John E. Baumberger, Plott Boyd, H. G. Brookshire,
Charles F. Crow, Joseph W. Little, Ernest H. Miller
and H. W. Rainey.

RESOLUTION

RESOLUTION REQUESTING THE DISTRICT FEDERAL JUDGE TO DETERMINE APPROPRIATE COUNSEL FEES TO BE PAID FOR THE DEFENSE OF THE ABOVE ENTITLED ACTION ON BEHALF OF INDIVIDUAL DEFENDANTS.

WHEREAS the above entitled action is a damage suit brought by the plaintiffs against the defendants in their individual capacity whereby the plaintiffs seek to recover the sum of $150,000.00 as damages, and

WHEREAS the defendants have already prepared and filed certain pleas and defenses and desire to be fully represented by counsel throughout the entire course and conduct of the case.

NOW be it resolved that we hereby request his Honor E. Y. WEBB, U. S. District Judge, to consider the services performed on behalf of the individual defendants and to make such orders and allowances for counsel fees for counsel for the individual defendants herein as to him may seem just and proper; Provided such fees are paid from the water fund.

I move the adoption of the foregoing resolution this February 28, 1935.

John E. Baumberger
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this February 28, 1935.

Wickes Wamboldt
MAYOR
E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

A motion of Councilman Miller, seconded by Councilman Rainey, that the Corporation Counsel obtain whatever legal assistance necessary to aid him in handling the case, carried unanimously

A petition signed by 145 citizens of Biltmore section requesting that the bus line be extended as far as Biltmore High School was presented and on motion of Councilman Boyd, seconded by Councilman Westall, ordered referred to the Carolina Power & Light Company for consideration.

On motion of Councilman H. G. Brookshire, seconded by Councilman Jack Westall a resolution to authorize the widening and relocation of a portion of Haywood Road in the City of Asheville known as State Highway and Public Works Commission Project #9071, was unanimously adopted.

A RESOLUTION TO AUTHORIZE THE WIDENING AND RELOCATION OF A PORTION OF HAYWOOD ROAD IN THE CITY OF ASHEVILLE KNOWN AS STATE HIGHWAY AND PUBLIC WORKS COMMISSION PROJECT #9071.

WHEREAS, that improvement designated by the State Highway and Public Works Commission as Project #9071, is considered to be the most necessary improvement in the highway system in the corporate limits of the said municipality, for the promotion of public safety and conveninece.

NOW, THEREFORE, BE IT RESOLVED that the above Project #9071 be and is hereby formally approved by the City Council of the said municipality, and that the Mayor and Clerk of the said municipality be and are hereby empowered to sign and execute the required agreements between the said municipality and the State Highway and Public Works Commission.

I move the adoption of the foregoing resolution.

H. G. Brookshire,
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this 28th day of February, 1935

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Resolution allocating the seventh floor of the City Hall building to the Library Board to be used for the Sondley Reference Library was on motion of Councilman Jack Westall, seconded by Councilman H. G. Brookshire, unanimously adopted.

RESOLUTION ALLOCATING THE SEVENTH FLOOR OF THE CITY HALL BUILDING TO THE LIBRARY BOARD TO BE USED FOR THE SONDLEY REFERENCE LIBRARY.

WHEREAS, the City of Asheville acquired through the will of the late Foster A. Sondley what is known as the Sondley Library; and

WHEREAS, this library will be of untold benefit to the citizens of this community and to the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the seventh floor of the City Hall be and it is hereby allocated to the Library Board of the City of Asheville for the use of the Sondley Reference Library.

BE IT FURTHER RESOLVED that the City Manager be authorized and directed and is hereby empowered to make necessary alterations on the above mentioned seventh floor to fit the use of the Sondley Library, and the expenses incurred must be limited to that permitted in the budget of the City of Asheville for that particular purpose for the year 1934-35.

I move the adoption of the foregoing resolution.

Jack Westall
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved and adopted, this 28th day of February, 1935.

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Wickes Wamboldt
MAYOR
E. G. Thompson
CITY CLERK

The City Manager requested authorization of the Council for the payment of $1,797.77 out of the contingent fund for damages for property taken for widening and re-locating Haywood Road.

Councilman Boyd moved, seconded by Councilman Miller, that the City Manager be authorized to make payments as requested.

Mr. Hackney reported property on Louisiana Avenue which has recently come into the possession of the Board of Financial Control, the city's interest being 6/11 and the County's interest 5/11, is adapted to park development purposes and recommended that a resolution be passed requesting the Board of Financial Control to make the transfer for the property, that an appropriate name be given the land, and that the creation of a suitable park be embarked at once.

Resolution requesting the Board of Financial Control to deed certain property to the City of Asheville was on motion of Councilman H. G. Brookshire, seconded by Councilman Plott Boyd, unanimously adopted.

RESOLUTION REQUESTING THE BOARD OF FINANCIAL CONTROL TO DEED CERTAIN ROPERTY TO THE CITY OF ASHEVILLE.

WHEREAS, the Board of Financial Control recently acquired sixteen acres of land on Louisiana Avenue in West Asheville; and

WHEREAS, said land is divided as follows: six-elevenths belonging to the City of Asheville and five-elevenths belonging to the County of Buncombe; and

WHEREAS, the Council of the City of Asheville and the County Commissions of Buncombe County are desirous of creating a public park for the use of thepublic on the above mentioned sixteen acres of land.

NOW, THEREFORE, BEIT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Board of Financial Control is hereby requested to place the title to said sixteen acres of land situated on Louisiana Avenue in West Asheville in the City Asheville, for the purpose of using this tract of land for a public park for the benef of the people of the City of Ashe ille and the County of Buncombe.

I move the adoption of the foregoing resolution.

H. G. Brookshire
COUNCILMAN

SECONDED BY: Plott Boyd
COUNCILMAN

Read, approved and adopted, this 28th day of February, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

A request from Asheville Kiwanis Club for the use of Memorial Stadium for diamond baseball was presented and recommendation from the City Manager that the request be granted.

Councilman Miller moved, seconded by Councilman Rainey, voted on and carried that the request be granted provided the City receive 10% of the gross receipts derived from all games and the City retain all concession privileges.

NORTH FORK--BEE TREE WATERSHEDS-REPAIRS

City Manager, George L. Hackney, reported on needed repairs to city property on North Fork and Bee Tree and recommended that the repairs totalling approximately $1,599.00 to be done and paid for out of water revenues.

It was moved by Councilman Baumberger, seconded by Councilman Miller that the report of the City Manager be adopted and approved and he be authorized to make the improvements and repairs in an amount not to exceed his recommendation. This motion carried, all Councilmen, except Councilman Little, voting "aye".

BONDS FO...

A request was made by Councilman Baumberger that if the deposits in banks protected sufficiently, that the banks be requested to deposit bonds sufficient to pr the City.

ORANGE STREET SCHOOL-PL...

Mr. Hackney read a letter from Mr. Threlkeld, Director of Public Works, in which he stated he had submitted to the City Board of Education a plan to have the Orange Street School property turned over to the City for park purposes, the building which has been condemned for occupancy, should be razed, some of the material used by the city schools for repairs and the remainder used of proposed city recreational projects. Mr. Hackney recommended that the City lease the property at a nominal sum of $1.00 per year and dedicate it as a park or playground.

It was moved by Councilman Rainey, seconded by Councilman Boyd, voted on and carried that the City authorize the acceptance of a lease of $1.00 per year for the Orange Street school grounds but shall not be responsible for the tearing down of the school building.

On motion, adjourned.

Wickes Wamboldt
Mayor

E G Thompson
City Clerk

Thursday, March 7, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, R. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

NORTH FORK--STATE PARK-...
CITY PLANNING COMMISSION

A communication was read from Dr. WillisA. Parker, Secretary of the City Planning Commission containing resolution passed by that commission endorsing the proposal whereby the City would devote approximately 2500 acres and the Grove Estate 1000 acres in the lower portion of the North Fork basin for a State Park.

A motion was made by Councilman Brookshire, seconded by Councilman Little, that a committee be appointed from the Council of three members, said committee to include Dr. Williams, the Corporation Counsel and the City Manager, to make an investigation and consider the feasibility of using a part of the City's land below the intake, and make a report to the Council. This motion carried and Mayor Wamboldt appointed Councilmen Brookshire, Little and Boyd on this committee.

L. R. BEAM & COMPANY-IN...

A bill against the City was presented by the Clerk from L. R. Beam & Company for an insurance premium of $2.83 which was for a policy of fire insurance No. 341376, written by the Mill Owners Mutual Fire Insurance Company of Iowa, covering Municipal Garage at 174 Valley Street.

A motion was made by Councilman Miller and duly seconded that the City Manager be instructed to pay the bill. Councilman Boyd stated that he was opposed to paying the bill on the ground that to do so was unlawful and that the City did not owe the premium.

Mr. Hackney, City Manager, stated to the Council that the bill had been presented to him for payment but that he had declined to make payment on the ground that although he had ordered the insurance placed on the building and that it had been in force for the length of time indicated by the bill, he refused to pay it because he thought to do so would be unlawful. At this point inquiry was made of the Corporation Counsel as to the legality of the insurance and the Corporation Counsel stated that in his opinion it was unlawful for the City to carry the insurance and he had so advised the City Manager in writing.

A motion was put to the Council, a vote taken, and the motion failed of passage. The Chairman declared the motion lost, and that the effect was that the City Manager was instructed not to pay the bill.

BILTMORE-BUS SERVICE

A communication from C. S. Walters, Vice-President of the Carolina Power & Light Company, in reply to petition from the citizens of Biltmore section, requesting bus service to Biltmore High School was read. Mr. Walters stated that this section is being served by Biltmore Forest bus and the Company is not in position to consider extending their service to the Biltmore section at this time.

March 7, 1935

Ordinance #220- entitled An ordinance prohibiting establishment or enlargement of automobile or other junk yards in the City of Asheville without a special permit of the City Council of the City of Asheville was placed on its third and final reading. A vote was taken as follows: Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall voted "aye"; Councilman Baumberger voted "no", the ordinance was declared passed on its third reading and adopted to become effective fifteen days after publication.

ORDINANCE #220.

AN ORDINANCE PROHIBITING ESTABLISHMENT OR ENLARGMENT OF AUTOMOBILE OR OTHER JUNK YARDS IN THE CITY OF ASHEVILLE WITHOUT A SPECIAL PERMIT OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. Definition. "Motor vehicle junk business" or "motor vehicle junk yard" shall include any business and any place of storage or deposit of any vacant lot or lots whether in connection with another business or in which displays or upon which there are displayed, to view from a public highway two or more unregistered motor vehicles which are unfit for re-conditioning for use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or second-hand material which has been a part, or intended to be a part, or any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles; and "second-hand building material yards" shall include any place of storage, whether upon a vacant lot or lots, or in connection with some other business, of any other junk, including second-hand lumber, brick or other building materials not being used in the construction of some building and not being used in the course of regular trade, but on the contrary merely being placed in storage in an inactive business, and without being enclosed within a building or other enclosure concealing same from public view.

Section 2. That from and after the effective date of this ordinance, it shall be unlawful to establish any motor vehicle junk business, or motor vehicle junk yard or second-hand building material yard, or other junk yard, or to enlarge any such existing business, in the City of Asheville without first obtaining from the City Council by at least a two-thirds vote of that body a special permit.

Section 3. No gas or oil shall be permitted to remain in any motor vehicle stored in any such place of business as aforesaid, it being hereby directed that the storing of any motor vehicle in such place of business all gs and oil shall be drained and removed.

Section 4. Any person, firm, association or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, pay a penalty of Twenty five Dollars for each such offense.

Section 5. This ordinance shall become effective fifteen days after date of passage and publication hereof.

I move the adoption of the foregoing ordinance, this 21st day of February, 1

H. G. Brookshire
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted, this 7th day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

[illegible]

Councilman Little read a communication from Malcoln Ainsworth in regard to a meeting of delegations from cities in Washington, D. C. on March 11, 1935 relative to obtaining an airline from Charleston to Cincinnati and recommended that Councilman Miller be sent to represent the City.

A motion of Councilman Brookshire, seconded by Councilman Crow that Councilman Miller be sent to represent the City of Asheville at the meeting in Washington on March 11th, carried.

March 7, 1935

[illegible]

Mr. Hackney made a report of needed improvements to insure water service for Forney Heights Park, Rhododendron Park and Recreation Park in a total amount of $2,880.00, and recommended that the work be done and charged to the water revenues.

It was moved by Councilman Miller, seconded by Councilman Westall that the recommendation be adopted and the City Manager be authorixed to spend not in excess of the total sum specified for such improvements. A vote was taken, all councilmen voting in the affirmative except Councilman Little, who explained his vote, that, in his opinion, the matter should be referred to the Corporation Counsel for approval.

On motion, adjourned.

Mayor

City Clerk

Thursday, March 14, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

[illegible]

The complaint of Miss Fannie B. McCoy that water had been cut off from house occupied by families on relief was ordered referred to the City Manager for investigation and report.

[illegible]

Mr. Henry T. Sharp appeared before the Council and requested the City to cooperate whereby a plan may be evolved and set in motion, looking to the establishment in Asheville or near vicinity of a School of Natural Sciences as a regional, state or national undertaking, with facilities for study, research and exploration in the Great Smoky Mountain National Park area, to be maintained at the cost of the Federal Government.

A motion of Councilman Miller, seconded by Councilman Westall that the matter be referred to the Planning Commission with request that they look into the matter, carried.

[illegible]

Mr. J. Y. Jordan Jr., appeared before the Council and requested the attitude of the Council in regard to payment of the J. S. Gasque judgment. This matter was ordered referred to the City Manager and the Corporation Counsel for investigation and report.

[illegible]

Mr. Owen Gudger, Foreman of the jury appointed to award damages and assess benefits on account of the widening and relocating of Haywood Road from Peachtree Street to Asheville School entrance presented the report of the jury signed by Owen Gudger, Gordon G. Morgan, Fred P. Dodd, Bert Starned B. C. Outlaw and Dion A. Roberts.

The jury report was read by the Clerk and a motion made by Councilman Miller, seconded by Councilman Boyd that the report be adopted. Voting "aye", Councilmen Baumberger, Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall. Councilman Rainey absent, the report was declared adopted.

JURY REPORT

To the Honorable Mayor and Council of the City of Asheville, North Carolina:

We, the undersigned jurors, having been duly sommoned and sworn to assess damages to the land of
Metropolitan Life Insurance Co.
Mrs. J. B. Barnhardt (Prudential Life Insurance Co.)
Mr. J. B. Barnhards (Prudential Life Insurance Co.)
Mrs Hazel Jones

owner of land situated, lying and being in the City of Asheville, a portion of which premises is required by the Council of said City for the purpose of widening and relocating Haywood Road 60' wide, as surveyed and staked off by the City Engineer from Peachtree Street to Asheville School entrance and also to assess the benefits to the lands of aforesaid, in pursuance to the condemnation of lands for said purpose, made by the Council of said City of Asheville, at their meeting held on the 21st day of February, 1935 and in pursuant of the writ thereupon issued by the Mayor of said City, dated February 22, 1935 directing a policeman of said City to summon a jury for said purpose.

We, the said jury, having been duly summoned and sworn, respectfully report as follows:

That on the 14th day of March the said parties in interest having had due notice we proceeded to view the lands heretofore condemned for said proposed improvement being the widening and relocation of Haywood Road from Peachtree Street to Asheville School entrance 60' wide, as surveyed and staked off by the City Engineer, and also to view the lands contiguous thereto, and of the said parties mentioned in said writ, and we find as follows:

That the lands of	Metropolitan Life Ins. Co.	is damaged	Twenty five	Dollars	(Lot 163)
" " "	Mrs. J. B. Barnhardt (P. L. Ins. Co.)	" "	Two hundred fifty	"	(Lots 89
" " "	Hazel Jones (#54)	" "	No damage		

That the lands of	Metropolitan Life Ins. Co.	is benefited	None	
" " "	Mrs. J. B. Barnhardt	" "	"	
" " "	Mrs. Hazel Jones	" "	"	

Respectfully submitted,

Owen Gudger Foreman
Gordon G. Morgan
Fred F. Dodd
Bert Starnes
B. C. Outlaw
Dion A. Roberts

Councilman Westall, Chairman of the Committee on codification of city ordinan reported the codifying of the city ordinance is practically done and offered several ordinance to repeal ordinance that are obsolete.

A motion of Councilman Baumberger, seconded by Councilman Little, that the ordinance be placed on the calendar for meeting next week and that the Corporation Couns review them and make a report, carried.

Councilman Brookshire reporting for the committee appointed to investigate the state park proposition, stated the question is such a big question that he suggested the Council meet as a whole at a public meeting for discussion.

Following the report of Councilman Brookshire, a motion was made by Councilm Miller, seconded by Councilman Crow that today's meeting be recessed until Monday, March 18 at 4:30 P. M. in order to give the Council as a whole an opportunity to study the qu and that all citizens interested in the subject be invited to attend, in the meantime t Corporation Counsel be authorized to examine the records to ascertain as far as possible history of the purchase of the water shed property. This motion carried.

Councilman Miller made a report on his trip to Washington to attend a meetin of delegations from cities interested in the Charleston to Concinnati airline, which met on March 11th.

On motion of Councilman Ernest H. Miller, seconded by Councilman Plott Boyd, Resolution authorizing the Mayor to execute quit-claim deed from City of Asheville to t Board of Financial Control was adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED FROM CITY OF ASHEVILLE TO THE BOARD OF FINANCIAL CONTROL.

WHEREAS, the City of Ashe ille is securing certain property from the Board of Financial Control for the purpose of relocating and widening Haywood Road; and

WHEREAS, in consideration of the Board of Financial Control deeding certain land to said city, the city has agreed to deed to the Board of Financial Control a portion of the old Haywood Road which lies between Lots 78 to 83 inclusive, Sheet 24, Ward 5, and the Haywood Road right-of-way as relocated and shown on plat #4-775 of file in the office of the City Engineer:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor is hereby authorized and directed to execute a quit-claim deed for that portion of the old Haywood Road which lies between Lots 78 to 83 inclusive, Sheet 24, Ward 5, and the Haywood Road right-of-way as relocated and shown on plat #4-775 on file in the office of the City Engineer, to the Board of Financial Control.

I move the adoption of the foregoing resolution.

Seconded by: Ernest H. Miller Councilman
Plott Boyd Councilman

Read, approved and adopted, this 14th day of March, 1935

Wickes Wamboldt Mayor
E. G. Thomoson City Clerk

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

RESOLUTION AUTHORIZING DEED TO G. H. SMITH

Resolution authorizing the Mayor to execute deed to G. H. Smith was read. Mayor Wamboldt suggested that an insertion be made in the resolution to identify the property to be deeded to the City by the Board of Financial Control.

It was moved by Councilman Plott Boyd, seconded by Councilman Ernest H. Miller that the resolution be adopted with the correction suggested by Mayor Wamboldt. This motion carried and the resolution was adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE DEED TO G. H. SMITH

WHEREAS, for the purpose of opening and relocating Haywood Road the Board of Financial Control will deed to the City of Asheville certain property shown as lot #8 on page 24 of plat book 1 filed in the office of the Register of Deeds for Buncombe County, N. C. required for the construction of the said highway: and

WHEREAS, the City of Asheville has agreed to convey to G. H. Smith two tracts of land which were a part of Lot 37, Sheet 22, Ward 5, which two tracts of land are the residue of lot 37 which will remain after Haywood Road is relocated, as shown on plat #4-775 on file in the office of the City Engineer, in consideration of the property conveyed to the City by the Board of Financial Control:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor is hereby authorized and directed to execute a deed for the two above mentioned tracts of land to G. H. Smith, who is to assume all outstanding taxes and assessments against Lot 37, Sheet 22, Ward 5.

I move the adoption f the foregoing resolution.

Plott Boyd
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted, this 14th day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thomoson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

On motion of Councilman Ernest H. Miller, seconded by Councilman Jack Westall A resolution authorizing the issuance of tax anticipation notes of the City of Asheville in the sum of not exceeding Fifteen Thousand ($15,000) Dollars was adopted. A vote was taken as follows: Councilmen Boyd, Brookshire, Crow, Little, Miller, Wamboldt and Westall voted "aye" Councilman Baumberger voted "no".

A RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE CITY OF ASHE ILLE IN THE SUM OF NOT EXCEEDING FIFTEEN THOUSAND ($15,000) DOLLARS.

WHEREAS, it now appears that insufficient tax revenues will be available with which to meet the payrolls of the City of Asheville during the next thirty (30) days: and

WHEREAS, the Board of Financial Control of Buncombe County has certain funds which will eventually be payable to the City of Asheville, which amount now to approximately Fifteen thousand ($15.000) dollars: and

WHEREAS, the City of Asheville has no other available funds with which to pay its proportionate share of the cost of making the tax assessment records of Buncombe County and meet its payrolls and deems it advisable to borrow such amount from the Board of Financial Countrol.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Director of Finance be and he is hereby authorized and empowered to negotiate with the Board of Financial Control of Buncombe County a loan to be made by said Board of Financial Control to the City of Asheville in an amount not exceeding fifteen thousand ($15,000) dollars: and that the Mayor and City Clerk of the City of Asheville be and they are hereby authorized and empowered to execute notes in denominations of one thousand ($1,000) dollars each, in a total amount not exceeding fifteen thousand ($15,000) Dollars, payable on or before four months after date of issuance, and to draw interest not in excess of three (3%) per cent: said notes, however, to be sold after advertisment, as provided by statute, and only after same shall have been approved by the Board of Financial Control of Buncombe County and the Local Government Commission of North Carolina at Raleigh, North Carolina.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the date hereinafter prescribed, and after being approved by the Board of Financial Control of Buncombe County and the Local Government Commission of North Carolina.

March 14, 1935

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved, and adopted, this the 14th day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

The meeting recessed until Monday, March 18, 1935 at 4:30 P. M.

Wickes Wamboldt
Mayor

E G Thompson
City Clerk

Monday, March 18, 1935- 4:30 P. M.

The City Council met in recess meeting: Mayor Wamboldt presiding. Present: Councilmen Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel C. E. Blackstock.

Mayor Wamboldt stated the purpose of the meeting was the consideration of the question: "Shall the Burnett Dam site belonging to the City of Asheville be given to the State for park purposes? that the Council recognized the seriousness of this question and wanted the opinion of the citizens".

Mr. Ottis Green, on behalf of the Chamber of Commerce, stated the question had been presented to the Chamber of Commerce for their consideration, and they had presented it to the Council. He explained that the United States government would place a CCC camp on property to be developed as a playground in Western North Carolina, the work to be maintained by the State. He also said, in his opinion, the property under consideration would not be needed by the City for thirty years for an impounding dam, at which time it will be necessary to have additional facilities. The park would be a great attraction to this vicinity to tourists. The land considered would not include the watershed land and would not jeopardize Asheville's water system.

Mr. Alfred S. Barnard stated that property in question is the most valuable asset the city has, and that it had taken thirty years to develop the water system to its present perfection, and it would be a grave mistake to give 2500 acres as a park. He stated the Council should give most serious consideration before they donated this land, and he was of the opinion that the City has not the authority to give away the land.

Dr. Carl V. Reynolds, representing the State Health Department, discusses the matter from a health angle, stating to give this property would be a most dangerous thing to do. Most serious consequences would result and he advised the City to refuse for the protection of the water shed, that Asheville's water supply is its greatest asset and any park in close proximity to the water shed would be a constant potential if not actual source of contamination.

Mr. Charles E. Waddell gave a brief history of the water system. He stated the City of Asheville has water for several years to come, but he predicted that in 1940 due to increse in population, the city would have to start another dam and this sit is the ideal site for an impounding dam. He begged that the city not sacrifice the biggest asset the city has.

Mr. Arnold Vanderhoof stated the park offers no asset whatever, but if the City should donate 2500 acres for the park, from six to seven square miles would be ruined as a water shed property.

March 18, 1935

Mr. Gray Gorham, representing the Real Estate Board, presented a resolution adopted by that Board opposing the use of the water shed property for park purposes.

Mr. Blackstock, Corporation Counsel, stated the City could not deed its property without a special act of Legislature, and in addition to that fact there was a very grave question whether the Legislature could grant that power, if that land is now actually in public use for the purpose of a water shed, it is imposed with a public trust, and the Council Councilmen are trustees, and would be personally liable for the sale of such property even thought there was a special enabling act. He stated as a public officer of the City he would not like to be liable for disposing of the property that is necessary for public use.

Mr. Gerald Cowan, President of the Chamber of Commerce, explained that at no time had the Chamber of Commerce advocated placing the park just below the water shed. It was a question brought to the Chamber of Commerce and was simply presented to the Council for consideration.

Councilman Brookshire moved, seconded by Councilman Boyd, that the City Council decline to donate the land of Burnett's Dam for park purposes. A vote was taken, all Councilmen voted in the affirmative, the motion was declared unanimously adopted.

On motion, adjourned.

Wickes Wamboldt
Mayor

E G Thompson
City Clerk

Thursday, March 21, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen Plott Boyd, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney, and C. E. Blackstock, Corporation Counsel. Minutes of the previous meetings were read and approved.

WEST ASHEVILLE MEN'S CLUB - PARK

A letter of appreciation for the new sixteen acre park recently establish in West Asheville was read from the West Asheville Men's Club.

CIVITAN CLUB--STATE PARK

A resolution adopted by the Civitan Club of Asheville congratulating the City Council upon the unanimous decision to disapprove and reject the proposal that part of the city's property on North Fork be given to the State for a public park was read, and the Clerk instructed to acknowledge same with the appreciation of the City Council.

MISS FANNIE McCOY

A communication from Miss Fannie McCoy was read and referred to the City Manager

SENIOR HIGH SCHOOL-BRICK.

A letter from Mr. R. H. Latham, Superintendent of City Schools, was read, asking for 20,000 old brick taken from the recent improvement of city streets, to be used for walks at the Senior High School on McDowell Street. Councilman Miller moved and Councilman Westall seconded: that it is the desire of this Council that 20,000 brick be donated to this cause, if it can be legally done by the Council, and the matter be referred to the City Manager and Corporation Counsel with power to act. This motion prevailed.

ORDINANCE #221-- AMENDING

Ordinance #221- entitled An Ordinance repealing certain sections of Pennell's Code relating to restrictions governing the sale of near beer and similar beverages, was on motion of Councilman Jack Westall, seconded by Councilman C. F. Crow, unanimously passed on its first reading.

Upon motion of Councilman Little, duly seconded the rules were suspended by unanimous vote of the Council and the ordinance ordered placed upon its second and third readings. The Council was duly polled and the ordinance was adopted on its second reading. The ordinance was then placed on its third and final reading: the Council duly polled and the ordinance was adopted on its third reading.

March 21, 1935

ORDINANCE #221

AN ORDINANCE REPEALING CERTAIN SECTIONS OF PENNELL'S CODE RELATING TO RESTRICTIONS GOVERNING THE SALE OF NEAR BEER AND SIMILAR BEVERAGES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That Article 13, Chapter 10, of Pennell's Code being entitled "Near Beer Sales Restrictions", consisting of sections 762,763, 764 and 765, be and the same is hereby repealed.

Section 2. That this ordinance shall be effective from and after April 8, 1935.

I move the adoption of the foregoing ordinance, this the 21st day of March, 1935.

Jack Westall
COUNCILMAN

SECONDED BY: C. F. Crow
COUNCILMAN

Read, approved, and adopted, this the 21st day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. BLACKSTOCK
CORPORATION COUNSEL

Ordinance #222- entitled An ordinance to repeal Article 16, Chapter 10, of Pennell's Code, the same prohibiting the operation of pool rooms, shooting galleries, bowling alleys, and carnivals, within the City. was on motion of Councilman Jack Westall seconded by Councilman C. F. Crow, unanimously passed on its first reading.

On motion of Councilman Westall,duly seconded the rules were suspended and the ordinance ordered placed upon its second and third reading. Voting "aye" for the suspension of rules: Councilmen Boyd, Crow, Little, Miller, Wamboldt and Westall, the ordinance was placed on it second reading, and unanimously passed on its second reading.

The ordinance was then placed on its third and final reading: the Council duly voted and the ordinance was adopted on its third reading by unanimous vote.

ORDINANCE #222

AN ORDINANCE TO REPEAL ARTICLE 16, CHAPTER 10, OF PENNELL'S CODE, THE SAME PROHIBITING THE OPERATION OF POOL ROOMS, SHOTTING GALLERIES, BOWLING ALLEYS, AND CARNIVALS, WITHIN THE CITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That Article 16, Chapter 10, of Pennell's Code, the same being entitled "Pool Rooms, Bowling Alleys, and Carnivals", comprising sections [illegible], be and the same is hereby repealed.

Section 2. That this ordinance shall be effective from and after April 8, 1935.

I move the adoption of the foregoing ordinance, this the 21st day of March, 1935.

Jack Westall
COUNCILMAN

Seconded by: C. F. Crow
COUNCILMAN

Read, approved, and adopted, this the 21st day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

March 21, 1935

ORDINANCE #223.

On motion of Councilman Councilman Jack Westall, seconded by Councilman C. F. Crow, Ordinance #223- entitled An ordinance to repeal certain sections of Pennell's Code relating to the playing of musical instruments, was unanimously adopted on its first reading.

A motion of Councilman Miller, duly seconded that the rules be suspended and the ordinance placed upon its second and third readings was unanimously adopted, Councilmen Boyd, Crow, Little, Miller Wamboldt and Westall voting in the affirmative.

The ordinance was placed on its second reading, the Council polled and the ordinance unanimously adopted on its second reading.

The ordinance was then placed on its third and final reading, a vote taken, and the ordinance unanimously adopted on its final reading.

ORDINANCE #223

AN ORDINANCE TO REPEAL CERTAIN SECTIONS OF PENNELL'S CODE RELATING TO THEPLAYING OF MUSICAL INSTRUMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That Article 12, Chapter 10, of Pennell's Code, being entitled "Musical Advertisement", consisting of sections 759, 760, and 761, be and the same is hereby repealed.

Section 2. That this ordinance shall be effective from and after April 8, 1935.

I move the adoption of the foregoing ordinance, this the 21st day of March, 1935.

Jack Westall
COUNCILMAN

Seconded by: C. F. Crow
COUNCILMAN

Read, approved, and adopted, this the 21st day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

ORDINANCE #224.

Ordinance #224- entitled An ordinance to repeal a certain section of Pennell's Code relating to persons required to work, was offered on its first reading by Councilman Jack Westall, seconded by Councilman C. F. Crow. A vote was taken and the ordinance unanimously adopted on its first reading.

A motion of Councilman Miller, duly seconded, that the rules be suspended, the ordinance ordered placed on its second and third readings carried unanimously, Councilmen Boyd, Crow, Little, Miller, Wamboldt and Westall voting in the affirmative.

The ordinance was placed on its second reading, a vote taken and unanimously adopted on its second reading.

The ordinance was then placed on its third and final reading, and unanimously adopted.

ORDINANCE #224

AN ORDINANCE TO REPEAL A CERTAIN SECTION OF PENNELL'S CODE RELATING TO PERSONS REQUIRED TO WORK.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That section 751 of Pennell's Code, being entitled: "Persons Required to Work", be and the same is hereby repealed.

Section 2. That this ordinance shall be effective from and after April 8, 1935.

I move the adoption of the foregoing ordinance, this the 21st day of March, 1935.

Jack Westall
COUNCILMAN

Seconded by: C. F. Crow
COUNCILMAN

..., and adopted, this the 21st day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
... E. Blackstock
CORPORATION COUNSEL

Ordinance No. 225 entitled An ordinance to regulate show houses, theaters, ... and providing for licensing of the same was on motion of Councilman Westall, seconded by Councilman ... passed on it's first reading. All councilmen present voted in the affirmative.

On motion of Councilman Miller, duly seconded, the rules were suspended and the ordinance ordered placed upon its second and third readings. Voting "aye" for the suspension of rules: Councilmen Boyd, Crow, Little, Miller, Wamboldt and Westall.

A vote was taken for the passage of the ordinance on its second reading, all members of the council present voting in the affirmative, the ordinance was declared adopted on it's second reading.

The ordinance was then placed on its third reading, the council polled and the ordinance was adopted unanimously.

ORDINANCE #225

AN ORDINANCE TO REGULATE SHOW HOUSES, THEATERS, AND CIRCUSES, AND PROVIDE FOR LICENSING OF THE SAME.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. License From Council Required for Houses. No person shall maintain or operate in any house, room, tent or other structure or part thereof as a theater or ... as a vaudeville or motion picture show house in which public performances are given for profit, without a license therefor issued by the city council.

Section 2. License From Council Required for Shows and Circuses. No person shall maintain or operate any theatrical, vaudeville or motion picture show ... any circus outside any house or other structure licensed under the provisions of the preceding section without a license therefor issued by the city council; provided that motion shows, circuses or other performances by any church, school or college, or by any fraternal organization shall be exempt from the provisions of this section.

Section 3. Applications for License. Applications for the license required by either of the preceding two sections shall be made to the city council on blank forms prepared and furnished by the city council and shall be filed with the city clerk. Such forms shall be prepared so as to furnish all information necessary to enable the city council to act intelligently on such applications.

Section 4. When License Shall be Refused.

(a) The city council shall not issue such a license:
(1) To any person who is not of good moral character.
(2) For any show or circus that is immoral.

(b) The city council shall refuse for any other good cause to issue such a license.

Section 5. Revocation of License. The city council may at any time, for cause, after a hearing, of which such reasonable notice shall be given the licensee as the city council may direct, revoke any license issued hereunder.

Section 6. Show Houses to Furnish Weekly List of Attractions. Every person, firm or corporation conducting any theatrical, vaudeville or motion picture show house in the city shall furnish the city clerk or other officer designated by the city council, upon request, a list of attractions of said house for each week, the first list to be furnished not later than Tuesday of the preceding week.

Section 7. Certain Forms of Amusement Prohibited. No person, firm, or corporation shall display or permit to be displayed at any theater, show-house or motion picture exhibition, or at any other entertainment any vulgar, obscene or indecent features, or any lewd or licentious act, or any other act or thing of an obscene or indecent nature, or offensive to the moral sense, or, in such detail as to offend public morality and decency.

Section 8. Immoral Shows Prohibited. No person, firm or corporation, as owner, manager, director, or agent, or in any other capacity, shall prepare, advertise, give, present or participate in any obscene, indecent, impure or immoral drama, play, exhibition, entertainment or show of any kind which tends to the corruption of the morals of youths or of others; nor shall any person permit any theater or opera house, motion picture house, or other structure or part thereof to be used for any such purpose.

March 21, 1935

Section 9. Health Regulations Governing Motion Picture Shows. All buildings in which motion pictures are shown in the city of Asheville shall be opened and aired at least once every day, or after the close of each performance, and all motion picture shows in the city of Asheville shall at all times be subject to the inspection of the Health Officer, or his duly authorized officer, and should contagious disease be discovered in any motion picture theater in the city of Asheville at any time, said motion picture theater shall be closed immediately at the end of the performance and the said motion picture show shall be disinfected under the direction of the Health Officer or his duly authorized officer.

Section 10. Drinking in Places of Public Amusement Forbidden No person shall drink or serve to others any intoxicating liquors in any theater, opera house, auditorium park or other place of public amusement within the city of Asheville.

Section 11. Speculation in Theatrical Tickets Forbidden. No person shall speculate in the city of Asheville in tickets for theatrical or other like performances without first obtaining a license so to do, and paying in advance the license fee therefor, which shall be two hundred and fifty dollars.

Section 12. Cleanliness Required. All theaters, motion picture theaters, vaudeville houses, or other places, where public amusements are given, shall be kept at all times in a clean and sanitary condition and all such places shall be thoroughly cleaned at least once each day and must be disinfected under supervision of the city Health Officer, as often as the Health Officer of said City deems it necessary for the protection of the public health. The fees for such disinfection shall be paid by the owner, operator or lessee of such theater.

Section 13. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to a penalty of Fifty Dollars for each and every such offense.

Section 14. That all ordinances, sections and clauses of ordinances in conflict with this ordinance are hereby repealed, but the following sections are expressly repealed: Sections 904, 905, 906, 907, 908, 909 of Pennell's Code, excepting such portions thereof as are incorporated in this ordinance.

Section 15. This ordinance shall be in full force and effect on and after April 8, 1935.

I move the adoption of the foregoing ordinance, this the 21st day of March, 1935.

Jack Westall
COUNCILMAN

SECONDED BY: C. F. Crow
COUNCILMAN

Read, approved and adopted, this the 21st day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

... Hackney reported a dead end pipe line is located near the beginning of the new Haywood Road widening and relocation project, and another dead end on Dumbaugh Place line and recommended these two pipe lines be connected at an estimated cost of $1,175.00- the work to be done at once and paid for out of water revenues.

Councilman Miller moved, seconded by Councilman Crow, that the City Manager be authorized to have this work done as recommended.

The City Manager presented the Council the financial statement for the month of February.

It was moved by Councilman Westall, seconded by Councilman Miller that this ... be recessed ... P. M. Saturday, March 23, 1935.

Mayor

City Clerk

Saturday, March 23, 1935- 10:30 A. M.

The City Council met in recess meeting; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock.

RESOLUTION FOR ESTABLISHMENT OF DEBT REFUNDING COMMITTEE

Resolution for establishment of debt refunding committee to work in conjunction with like committee appointed by the county commissioners of Buncombe County was on motion of Councilman Ernest H. Miller, seconded by Councilman Joseph W. Little, unanimously adopted.

RESOLUTION FOR ESTABLISHMENT OF DEBT REFUNDING COMMITTEE TO WORK IN CONJUNCTION WITH LIKE COMMITTEE APPOINTED BY THE COUNTY COMMISSIONERS OF BUNCOMBE COUNTY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Council of the City of Asheville constitute its nine members as a debt refunding committee to work with a committee of the same number to be appointed by the County Commissioners of Buncombe County; said general debt refunding committee to undertske immediately debt refunding negotiations with the holders of indebtedness of the County of Buncombe and City of Asheville.

BE IT FURTHER RESOLVED that a sub-committee of two be appointed or elected by the City Council to act in conjunction with a sub-committee of like number representing the County Commissioners, the said sub-committee of four so constituted be requested to meet at once and make recommendations back to the general debt refunding committee as to the plan of procedure in accumulating information and entering upon negotiations with the holders of indebtedness of the County of Buncombe and City of Asheville.

I move the adoption of the foregoing resolution.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Joseph W. Little
COUNCILMAN

Read, approved and adopted, this 23rd day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

The City Manager recommended that the action of the Council on December 20 increasing Dr. Woodward's salary and providing an assistant for the city clinic be continued for another three months, the salary of the assistant to be reduced to $50.00 a month.

It was moved by Councilman Westall, seconded by Councilman Boyd that the Manager's recommendation be accepted.

On motion of Councilman Little, seconded by Councilman Boyd, the meeting recessed until 7:30 P.M. this evening.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Saturday, March 23, 1935- 7:30 P. M.

The City Council met in recess meeting; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock.

SUB-COMMITTEE OF DEBT REFUNDING COMMITTEE

On motion of Councilman Crow, seconded by Councilman Baumberger, Councilmen Plott Boyd and Jack Westall were unanimously appointed to constitute the Sub-committee of the Debt Refunding Committee.

TAX COMMISSIONER-OWEN GUDGER

On motion of Councilman Westall, seconded by Councilman Little, Mr. Owen Gudger was unanimously elected as the City's representative on the Tax Commission.

RESOLUTION REQUESTING THE LEGISLATURE

The motion of Councilman Little, that the members of the Legislature of this County be requested to draft a bill to amend the charter of the City of Asheville so as to provide the Mayor of the City shall be elected by the people, and that the salaries of Councilmen be $1,200.00 and the salary of the Mayor be $1,500.00 a year, was ordered placed on the calendar for consideration at the next meeting.

MONKEY ACT-REPEALED

The motion made by Mayor Wamboldt, seconded by Councilman Westall that the Council take action to protest against the proposed bill to repeal Chapter 125 of the Private Laws of 1931 entitled: "An act to permit the reduction of expenses and taxes in the City of Asheville", was ordered placed on the calendar for consideration at the next meeting.

On motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, March 28, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meetings were read and approved.

COMPLAINT OF JOHN HARPER.

The complaint of John Harper, colored, that his property on Blanton Street is being damaged by water flowing from Dundee Street was duly referred to the City Manager.

RESOLUTION RELINQUISHING

On motion of Councilman Joseph W. Little, seconded by Councilman Chas. F. Crow, Resolution relinquishing any right, title or interest the City of Asheville may have in an alley known as Gulley Street was unanimously adopted.

RESOLUTION RELINQUISHING ANY RIGHT, TITLE OR INTEREST THE CITY OF ASHEVILLE MAY HAVE IN AN ALLEY KNOWN AS GULLEY STREET.

WHEREAS, in the year 1901 there was recorded in book 133 page 548 a map or plat setting out certain property, and which map or plat designates certain streets in the City of Asheville: and

WHEREAS, one of said streets became known as Gulley Street: and

WHEREAS, the City of Asheville has never opened or widened Gulley Street for travelling purposes: and

WHEREAS, there is no record of any opening or widening proceeding of said Gulley Street by the city authorities: and

WHEREAS, the Engineering Department reports that said street is a deep gulley, and that it is inaccessible to vehicular travel:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City of Asheville relinquish all rights, title and interest that the ... said city may have in said Gulley Street, and refuse to accept said Gulley Street as ... thereof for public thoroughfare.

I move the adoption of the foregoing resolution, this 22nd day of February, 1935.

Joseph W. Little
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

... , and unanimously carried, this 28th day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

... E. Blackstock
CORPORATION COUNSEL.

Resolution authorizing City Manager to disburse to Sub-Committee of Debt Refunding Committee the sum of $500.00 was on motion of Councilman H. G. Brookshire, seconded by Councilmen Ernest H. Miller, unanimously adopted.

RESOLUTION AUTHORIZING CITY MANAGER TO DISBURSE TO SUB-COMMITTEE OF DEBT REFUNDING COMMITTEE THE SUM OF $500.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager be and he is hereby authorized to issue a voucher or vouchers to the sub-committee of the debt refunding committee representing the County of Buncombe and City of Asheville a sum not exceeding $500.00, said amount to be expended by said sub-committee in any manner which said sub-committee may deem advisable in preparing information leading toward debt negotiations with the creditors of said County and City.

I move the adoption of the foregoing resolution.

H. G. Brookshire
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

... read, approved and adopted, this 28th day of March, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
... E. Blackstock
CORPORATION COUNSEL.

notice of

The ... presented appeal of Metropolitan Life Insurance Company from the report of the jury appointed to assess benefits and damges to property owners affected by the proposed widening and re-locating of Haywood Road from Peachtree Street to the Asheville School entrance, and was instructed by the Council to embody appeal in the minutes.

TO THE CITY MANAGER, MAYOR AND COUNCIL OF THE CITY OF ASHEVILLE
ASHEVILLE, NORTH CAROLINA.

Please Take NOTICE:

The undersigned, METROPOLITAN LIFE INSURANCE COMPANY, hereby notify you that they appeal to the Superior Court of Buncombe County, North Carolina, from the report of Owen Gudger, et al., the jury appointed to assess the benefits and damages accruing in favor of, and against, the property owners affected by the proposed widening and re-locating of Haywood Road from Peachtree Street to the Asheville School entrance, which report was dated March 14, 1935, and confirmed by the Council of the City of Asheville on March 14, 1935, and for grounds of exception and appeal say-

FIRST. That the writ directing a summons of the jury of view, which writ was dated February 22, 1935, and all other proceedings were had in the name of the Mayor of the City of Asheville and not in the name of the City Manager as required by Sec. 91, of Chap. 121 of the Private Laws of North Carolina of 1... and for this reason all theproceedings had are invalid, void in law, and of no effect.

SECOND. the undersigned, METROPOLITAN LIFE INSURANCE COMPANY, further excepts to, and appeals fro, the item of said report and from its adoption which purports to assess them damages in the sum of TWENTY-FIVE ($25) DOLLARS, for that said amount is grossly unjust, unfair and inadequate to compensate them for the damages which will accrue to tehm upon the re-location, construction and opening of said Haywood Road, in that the property of the undersigned, designated on the said report as Lot No. 163, would greatly depreciate in value and become most undesirable for residential purpose due to the fact (a) that the property and the house located thereon front on Haywood Road as now located and the proposed highwy will be placed in the immediate rear of the house, leaving this residential property with only a depth of approximately one hundred and twenty (120) feet, located between two main highways; (b) that the Southern edge of the proposed highway right-of-way will be within fifteen (15) to twenty (20) feet of the edge of the rear of said house, leaving no backyard for the residence; (c) in addition to taking the rear of said lot for highway purposes, the proposed highway also runs through the garage on the rear of said lot, necessitating the removing or re-building of said garage and leaving insufficient land on which to re-build or re-locate said garage without doing great damage to the value of the residence located on said property.

THIS ... day of March, 1935.

METROPOLITAN LIFE INSURANCE COMPANY

By Hawkins, VanWinkle & Walton
Attorneys

... B. ...

Notice of appeal from the report of the jury appointed to assess benefits and damages on account of widening and re-location of Haywood Road from Peachtree Street to Asheville School entrance was read, and the Clerk was instructed to embody the notice of appeal in the minutes.

TO THE CITY OF ASHEVILLE, THE CITY COUNCIL OF THE CITY OF ASHEVILLE, GEORGE L. HACKNEY, CITY MANAGER, AND WICKES WAMBOLT, MAYOR:-

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that J. B. BARNHARDT and MRS. J. B. BARNHARDT do hereby except to the Report of the Jury appointed to assess benefits and damages to the land of the undersigned on the re-routing of Haywood Road, said Report being dated ... 14, 1935, and appeal therefrom to the Superior Court.

The undersigned further except to the action of the City Council in adopting and affirming said Report, and appeal to the Superior Court therefrom.

The undersigned further except to the said Report in the action of the said Council thereon, such action being taken at the meeting of March 14, 1935, and appeal to the Superior Court therefrom, for the reason that the damages assessed to the property of the undersigned are grossly inadequate.

This the ... day of March, 1935.

J. B. Barnhardt
Mrs. J. B. Barnhardt
by J. B. Barnhardt

... B. ...

Notice of appeal filed by Hazel Bine Jones from the report of the jury selected to assess benefits and damages on the widening of Haywood Road from Peachtree Street to the Asheville School entrance was presented and ordered embodied in the minutes.

NORTH CAROLINA
BUNCOMBE COUNTY

TO THE CITY MANAGER AND COUNCIL OF THE CITY OF ASHEVILLE.

You are hereby notified that the undersigned, Hazel Bine Jones, does appeal to the Superior Court of Buncombe County, North Carolina, from the report of Owen Gudger, et als., the jury selected to assess the benefits and damages accruing in favor of and against the property owners affected by the proposed widening of Haywood Road from Peachtree Street to the Asheville School entrance, which report is dated the 14th day of March, 1935, and confirmed and approved by the Council of the City of Asheville on the 14th day of March, 1935, for that:

Said report fails to award to the undersigned any damages in excess of the benefits arising from the widening and straightening of said Haywood Road and is, therefore, inequitable and unjust, the property owned by the undersigned being a lot fronting fifty feet on Haywood Road and running North approximately one-hundred and seventy eight from which the proposed widening and straightening of said road will take a strip fronting on the Road fifty feet on one side of said lot and forty-one feet on the other side.

March 28, 1935

The undersigned further appeals from said proceeding for that it is brought in the name of the Mayor of the City of Asheville and not in the name of the City Manager as provided by Section 91, Chapter 121 of the Public Laws of North Carolina of 1931 and for this reason the undersigned is informed and believes that said proceeding is invalid and of no effect in law.

This the 28th day of March, 1935.

Hazel Bire Jones
By S. B. Berkeley
T. Carlisle Smith Jr.

[illegible] Councilman John E. Baumberger offered resolution directing City Manager to pay to [illegible] the City of Asheville, and authorizing the said Manager to pay the same out of the water revenues, which was placed on the calendar for consideration at [illegible] meeting.

On motion, adjourned.

Mayor

City Clerk

Wednesday, April 3, 1935- 10:30 A. M.

The City Council met in special session: Vice-Mayor E. H. Miller presiding. Present: Councilmen John E. Baumberger, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller and Jack Westall. City Manager, George L. Hackney and Corporation Counsel, C. B. Blackstock

The Clerk read a communication from the City Manager calling the special meeting for the purpose of deciding the matter of reconstruction of the grandstand at McCormick Field.

April 2, 1935.

Mr. E. G. Thompson
City Clerk
Asheville, N. C.

Dear Mr. Thompson:

Please call a special meeting of the Council for tomorrow, Wednesday morning at 10:30 for the purpose of deciding the matter of reconstruction of the grandstand at the McCormick Field.

Yours very truly,
George L. Hackney
City Manager

[illegible] April 3, 1935.

On motion of Councilman Jack Westall, seconded by Councilman Chas. F. Crow, resolution authorizing the City Manager to rebuild the baseball stadium which was recently destroyed by fire at McCormick Field, City of Asheville, was adopted: all members of the Council present voting in the affirmative.

RESOLUTION AUTHORIZING THE CITY MANAGER TO REBUILD THE BASEBALL STADIUM WHICH WAS RECENTLY DESTROYED BY FIRE AT McCORMICK FIELD, CITY OF ASHEVILLE.

WHEREAS, on the [illegible] day of March, 1935 there occurred a fire which entirely destroyed the grandstand and a part of the bleachers at the municipal baseball field known as McCormick Field in the City of Asheville: and

WHEREAS, fire insurance was carried by the said city, and the company carrying the fire insurance policy has paid to the city the full amount of the insurance, namely $7500.00: and

April 3, 1935

WHEREAS, it now appears that said sum of money is not sufficient to rebuild the portion of the ball park destroyed by fire: and

WHEREAS, it appears that the City Manager has already advertised for bids for all materials necessary in the reconstruction of the stadium at said baseball field:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager be and he is hereby authorized to accept the bids submitted in response to his advertisement for materials, etc. for the reconstruction of the stadium at the McCormick baseball field, and the City Manager is hereby authorized to expend the amount of money received from the insurance company as a result of the fire above mentioned, together with an additional sum not in excess of $1500.00, if the said City Manager shall find that such sum is available in the contingent fund of the City, in rebuilding or reconstructing such portion of the stadium at McCormick baseball field as may be reconstructed for such a sum of money.

I move the adoption of the foregoing resolution, this [illegible] day of April, 1935.

Jack Westall
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this 3rd day of April, 1935.

Ernest H. Miller
VICE MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. B. Blackstock
CORPORATION COUNSEL.

[illegible]

A communication from Asheville Central Labor Union requesting that local labor be used in reconstruction of grandstands was read and a motion of Councilman Baumberger, seconded by Councilman Little, that the City in building the grandstand at McCormick Field use local labor carried unanimously.

On motion, adjourned.

Mayor

City Clerk

Thursday, April 4, 1935 2:30 P. M

The City Council met in regular session: Vice Mayor Miller presiding. Present: Councilmen John E. Baumberger, Platt Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. B. Blackstock. The minutes of the previous meeting were read and approved.

[illegible]

The request of Mr. C. S. Wolcolby that the city remit the license tax on a carnival to be exhibited in Asheville on April 8th by the members of the Veterans of Foreign Wars was on motion of Councilman Baumberger, seconded by Councilman Crow, referred to the City Manager and the Corporation Counsel with power to act.

[illegible]

Mr. Hackney reported there were two dead ends of lines in Jewelville road which would be improved by being connected and recommended the work be done at a cost of $30.50 to be paid for out of the water funds.

It was moved by Councilman Westall, seconded by Councilman Crow that the recommendation of the City Manager be adopted and the work be done. This motion carried unanimously.

On motion, adjourned

Mayor

City Clerk

Thursday, April 11, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Hickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

The motion that the members of the legislature of this county be requested to introduce a bill to amend the charter of the City of Asheville so as to provide the Mayor shall be elected by the people and that the salaries of the councilmen be $1,200 and the salary of the mayor be $1,500 a year, which was tabled on March 23rd was offered for reconsideration. A motion of Councilman Miller, seconded by Councilman Westall that the motion be tabled was voted unanimously.

The motion that the Council take action to protest against the proposed bill to repeal Section 151 of the Private Laws of 1931 entitled: "An act to permit the reduction of expenses and taxes in the City of Asheville", which was tabled on March 23rd was offered for consideration and on motion of Mayor Wamboldt, ordered tabled.

Councilman Joseph W. Little read a report of the status of the case of Henry W. George et al vs the City Manager and the members of the Council and asked that it be filed and embodied in the minutes.

Henry W. George, Harold [illegible],
John S. Harris, Henry Hart, Fred [illegible],
P. Howard and William C. O'Keeffe,
Plaintiffs

-vs-

Hickes Wamboldt, Geo. L. Hackney,
Jack Westall, John E. Baumberger,
Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, Ernest H. Miller and H. W. Rainey,
Defendants

This action was commenced in the District Court of the United States at Asheville on the 23rd day of November, 1934. All parties were duly served with process pertaining to the lawsuit.

After the institution of the action Messrs. C. E. Blackstock, Joseph L. Auten and Jesse D. Little were duly authorized and entered as counsel for the various defendants. Thereafter these counsel held frequent conferences as is usual in such matters for determining the best pleas to be filed for the various individuals. After much study and briefing the various questions presented by the complaint and also presented by the different positions occupied by the defendants, time of service of process, etc., a number of pleas were prepared and filed. These pleas as filed in the Court will indicate that the individual defendants were represented by the counsel named.

The pleadings filed upon and filed included the following:

(a) Motion for Uniform Complaint, filed on behalf of Councilmen Little, Crow Miller, Kimbell, Boyd, Brookshire, Westall, and City Manager George L. Hackney.

(b) Motion and Affidavit to Make the City of Asheville Party Defendant, filed on behalf of Councilman Little.

(c) Motion to Dismiss, filed on behalf of Councilman Rainey.

After the filing of these pleas considerable effort was put forth by myself to have a time for hearing set, the greatest effort being directed towards a hearing on the motion to make the City of Asheville a party defendant.

A great portion of Mr. Auten's time since last November has been occupied in studying the questions involved, briefing, etc. This has required a mass of detail work which was necessary by reason of the great varity and number of questions involved.

It has been necessary for me to go to Shelby on four separate days for hearings before Judge Webb and consultations about the case, and on all such occasions I went in my private car, on the last trip an accident occured to the car which cost $24.00 to repair which the City Manager has paid. On the other occasions the City Manager reimbursed me partially for expenses, I think something like $7.00 or $7.50 for each trip, which amounts did not cover the actual outlay of expenses by me. I have incurred in my office the following items of expense in connection with the actual legal work on this case.

Helen Hess, stenographic, writing, briefing, and other legal papers, $35.00
This amount of course should be paid direct to Miss Hess.

On the [illegible] of March [illegible] defendant's [illegible] motion [illegible] City [illegible] a party defendant [illegible] hearing thereof. After the City [illegible] motion [illegible] defendants.

I believe that Mr. [illegible] on [illegible] very few days after the [illegible] motion.

After considerable effort in the Federal Judge Webb [illegible] February, April [illegible] a time to hear the remaining motion [illegible] only the motion to reform the complaint [illegible] and Hamilton vs. Asheville.

When there [illegible] defendants in this suit, it appeared at the hearing before Judge Webb that there is serious conflict of interest between the individual defendants and the defendant City of Asheville. I could not [illegible] defendant.

As I am one of the defendants in this action as well as counsel in the case I have put forth every effort [illegible] could [illegible] to facilitate [illegible] As matters stand now, it appears to me that it is going to be a long, tedious and expensive lawsuit.

Only today I received a telegram again about a conference in the matter to be held at Greensboro.

April 11, 1935 [illegible]

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF [illegible]

Henry W. George, Harold [illegible],
John S. Harris, Henry Hart, Fred [illegible],
P. Howard and William C. O'Keeffe,
Plaintiffs

-vs-

Hickes Wamboldt, Ge. L. Hackney,
Jack Westall, John E. Baumberger,
Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, Ernest H. Miller and H. W. Rainey,
Defendants.

This cause coming on to be heard at Shelby upon motion [illegible] Joseph W. Little, one of the defendants, to make the City of Asheville a party defendant, and being heard, the plaintiffs being represented by Manley, Hendren, and Womble, the defendants by Judge [illegible] the City of Asheville by C. E. Blackstock.

Now, upon consideration of the motion and [illegible] argument of counsel, it is ORDERED, ADJUDGED AND DECREED that the City of Asheville be [illegible] a party defendant herein, and the said City of Asheville [illegible] thereof in which to answer, demur or otherwise plead.

Done at Shelby, North Carolina.
This the 5th day of March, 193[illegible]

[illegible]

Councilman Little then explained that an [illegible] Councilman Baumberger. In the discussion of this matter, Councilman Little stated that there is no appropriate money for attorney fees for additional [illegible]

A motion of Councilman Baumberger, seconded by Councilman Miller, that this Council allow each individual defendant to select his own attorney to represent him in the future defense in the suit, said personal [illegible] by the City, the fees to be approved by the City Council and [illegible] out of the water fund, on being put to a vote lost.

The substitute motion of Councilman Brookshire, seconded by Councilman Westall, that this Council authorize Mr. Blackstock to employ any attorney [illegible] fit to defend the individual defendants in the suit, on being put to a vote did not carry.

[illegible] resolution providing for leasing of McCormick Field in order to provide baseball for Asheville was presented for consideration, the Corporation Counsel to report on the character of the lease.

[illegible] resolution authorizing the issuance of tax anticipation warrants of the City of Asheville in a sum not exceeding $75,000.00 was offered for consideration.

[illegible] motion of Councilman Miller, seconded by Councilman Westall, that the [illegible] resolution be considered today on being put to a vote lost.

[illegible] motion of Councilman Baumberger, seconded by Councilman Little, that the [illegible] be instructed to draft a resolution authorizing the City Manager to [illegible] the remaining street car tracts for salaries of the employees of the City [illegible] the resolution was ordered placed on the calendar for [illegible] meeting.

[illegible] adjourned

Mayor [signature] City Clerk

Saturday, April 13, 1935- 12 o'clock, Noon.

The City Council met in special meeting: Mayor Wamboldt presiding. Present: Councilmen Jos. E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. E. Blackstock.

The Mayor stated the call for special meeting of the Council for the purpose of [illegible] resolutions providing the issuance of tax anticipation warrants in a sum not exceeding $75,000.00 and the leasing of McCormick Field.

April 11, 1935.

[illegible] E. G. Thompson
City Clerk
City of Asheville

Mr. E. G. Thompson

Notice is hereby given that a special meeting of the City Council for Saturday, April 13, 1935 at 12 o'clock noon, in the Council Chamber for the purpose of considering [illegible] providing the issuance of tax anticipation warrants in a sum not exceeding $75,000.00 and the leasing of McCormick Field.

Sincerely yours,
Wickes Wamboldt
Mayor of Asheville.

To:

[illegible]

On motion of Councilman Ernest H. Miller, seconded by Councilman Westall, the [illegible] providing for the issuance of tax anticipation warrants of the City of Asheville in a sum not exceeding $75,000.00 was adopted. Voting "aye" Councilmen Boyd, Brookshire, Crow, Miller, Wamboldt and Westall, voting "no", Councilmen Baumberger and Little.

A RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION WARRANTS OF THE CITY OF ASHEVILLE IN A SUM NOT EXCEEDING $75,000.00

[illegible] of the total tax levy made for the operation of the City of Asheville for the current fiscal year only approximately 54% has been collected at the time [illegible] fiscal year has expired: and

[illegible] It is the opinion of the City Manager that approximately $75,000.00 will be necessary [illegible] defray the current operating expenses of the city government between [illegible] of the fiscal year, the said City Manager recommending that same be borrowed, and that the unpledged and uncollected 1934-35 city taxes be [illegible] as security thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That, subject to the approval of the Board of Financial Control of Buncombe County, and the Local Government Commission of North Carolina, the Director of Finance, [illegible] and other proper officials of the City of Asheville, be and

they are hereby authorized and empowered to sell, as provided by statute, through the Local Government Commission, after due advertisement, tax anticipation warrants in a total sum not exceeding $75,000.00, said warrants to be in denominations of $1,000.00 payable January 1, 1936, to bear interest at a rate not exceeding 6% per annum, to be dated May 1, 1935, and to be signed by the Mayor and City Clerk.

BE IT FURTHER RESOLVED that said notes or warrants shall constitute a first lien upon the unpledged taxes levied by the City Council of the City of Asheville for the fiscal year 1934-35, and uncollected on and after the date of the said notes or warrants.

I move the [illegible] of the foregoing resolution

Ernest H. Miller
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

[illegible], and [illegible] carried, this 13th day of April, 19[illegible].

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

[illegible]

A resolution providing for leasing of McCormick Field in order to provide baseball for Asheville was offered for consideration

A motion was made by Councilman Little, seconded by Councilman Crow, that a committee of three from the Council be appointed to meet representative of the baseball club and report back at the next meeting. This motion carried and Mayor Wamboldt appointed Councilmen Little, Boyd and Crow to constitute this committee.

On motion, adjourned.

Mayor [signature] City Clerk

Thursday, April 18, 1935- 4:00 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen Plott Boyd, H. G. Brookshire, Chas. F. Crow, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Assistant Corporation Counsel, Philip C. Locke Jr., The minutes of the previous meeting were read and approved.

[illegible]

Mrs. Chester Brown appeared before the Council in the interest of the Crippled Childrens' League, an international organization, and stated next week is set aside for Crippled Childrens Week and asked that the Mayor issue a proclamation, and that the City purchase seals for the benefit of crippled children.

It was moved by Councilman Crow, seconded by Councilman Miller that the request to allow the sale of seals be granted. A motion of Councilman Westall, seconded by Councilman Crow that the matter of the City appropriating to the purchase of seals be referred to the Corporation Counsel, the City Manager and Mayor Wamboldt, carried.

[illegible]

Councilman Boyd reported the committee appointed to consider leasing McCormick Field to Patriots, Inc. had met with patrons of the baseball club and recommended a lease be granted for three years.

[illegible]

Councilman Boyd moved, seconded by Councilman Miller that the lease be granted for three years. This motion carried and the resolution providing for leasing of McCormick Field in order to provide baseball for Asheville, amended to read three years, was adopted.

A RESOLUTION PROVIDING FOR LEASING OF McCORMICK FIELD IN ORDER TO PROVIDE BASEBALL FOR ASHEVILLE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager and City Clerk be and they are hereby authorized to execute a lease contract with Patriots, Incorporated in behalf of the City of Asheville for the leasing of McCormick Field for a period of three years.

I move the adoption of the foregoing resolution.

Plott Boyd
COUNCILMAN

SECONDED BY: C. F. Crow
COUNCILMAN

The motion prevailed and resolution adopted, this 18th day of April, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. L. Brookshire
MUNICIPAL COUNSEL.

Miss Fannie McCoy complained that needy families were without water and asked the Council to consider families unable to pay with water.

A motion of Councilman Westall, seconded by Councilman Miller that the matter be referred to the City Manager and Dr. Williams to confer with Miss E. Grace Miller in an effort to work out some method for supplying water to families where water has been cut off who are unable to pay for it, carried unanimously.

An ordinance providing for inspection of animals and meats not having been inspected in interstate commerce was introduced by Councilman Miller, seconded by Councilman Westall. Councilman Miller moved that a public hearing be held on Tuesday, April 23rd at 4:00 P. M. for the purpose of considering this ordinance. This motion was seconded by Councilman Westall and carried.

Councilman Brookshire made a motion, which was seconded by Councilman Westall that Dr. Williams, Health Officer, be requested to have a suitable ordinance drawn for disinfecting interiors of fumigating houses following contagious diseases and present it at the next meeting. This motion carried.

On motion of Councilman Crow, seconded by Councilman Miller, the Mayor was authorized to sign an agreement on behalf of the City for settlement of claim on account of the death of A. D. Ramsey, a former policeman, as ordered by the North Carolina Industrial Commission.

STATE OF NORTH CAROLINA,
COUNTY OF BUNCOMBE.

THIS AGREEMENT, Made and entered into this the 18th day of April, 1935, by and between the CITY OF ASHEVILLE, a municipal corporation, party of the first part, and MARY LOU RAMSEY, (widow of A. D. Ramsey, deceased), party of the second part,

W I T N E S S E T H:

WHEREAS, at a hearing before Hon. J. Dewey Dorsett, Commissioner, in the City of Asheville, N. C., on the 25th day of March, 1935, to determine whether or not the City of Asheville should be required to make further payments on account of the death of the late A. D. Ramsey, a then policeman of the said City of Asheville, and if so, to whom said payments should be made, and

WHEREAS, it was found as a fact from medical evidence offered at said hearing that the said A. D. Ramsey died as a result of injuries sustained by him in West Asheville on April 24, 1931, and that he left surviving him his widow, Mary Lou Ramsey, and four minor children: and

WHEREAS, the NORTH CAROLINA INDUSTRIAL COMMISSION on the 11th day of April, 1935, Ordered the City of Asheville to enter into an agreement with the said widow to pay said widow (for the benefit of herself and minor children) the sum of $17.45 per week from the 25th day of February, 1935, for a period of 191.806 weeks: less weekly payments made since Feb. 25, 1935

April 18, 1935

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the sum to be made by the said City of Asheville, which said sum the said party of the second part hereby expressly agrees to pay, the said Mary Lou Ramsey, party of the second part, hereby agrees to accept in full payment of any and all claims and demands on account of the death of her said husband, and hereby discharges the said City of Asheville from further liability; it being understood and agreed that this agreement shall, in no wise, affect the said award of April 11th, 1935, as to funeral expenses, nor as to any bill and medical bill approved at said hearing.

IN WITNESS WHEREOF, the said City of Asheville, by resolution duly adopted has hereunto caused these presents to be executed in its corporate name and its corporate seal to be hereunto affixed, by its proper officers, and the said party of the second part has hereunto set her hand and seal, the day and year first above written.

Wickes Wamboldt
Mayor

ATTEST:
E. G. Thompson
Secretary
(Corporate Seal)

Mrs. Minnie Z. Beatty requested that the meeting be opened with a reading of the Bible and a prayer. Mayor Wamboldt explained that he had been in office only a few weeks that some of the members might not be familiar with procedure, but suggested that Mrs. Beatty make the request at the next meeting of the Council.

On motion, said prayer was

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

Thursday, April 25, 1935

The City Council met in regular session at 4 P. M. Thursday, April 25, 1935, no quorum present and adjourned the meeting to 8:00 o'clock tonight, on instruction of the City Clerk to have a quorum present at that time.

Wickes Wamboldt
Mayor

Thursday, April 25, 1935

The City Council met in regular session at 8:00 P. M., Mayor Wamboldt presiding. Councilmen John L. Brumbaugh, Plott Boyd, C. F. Crow, R. [illegible] Brookshire, E. G. Miller, Wickes Wamboldt and Jack Westall, City Manager, Chas. D. Rhoades and Corporation Counsel, J. L. Brookshire. The minutes of the last meeting were read and approved.

Mr. George H. Webster, representing A. B. and J. [illegible] Turner, made application for the benefits assessed for the opening and widening of N. [illegible] Avenue against the clients' property be marked see the assessment roll.

A motion of Councilman Westall, seconded by Councilman Miller, that the matter be referred to the City Manager, and the request in connection with the investigation in report on the next meeting carried unanimously.

April 25, 193[illegible]

[illegible] resolution authorizing the Mayor to execute quit claim deeds were presented and referred to Mr. Henry Gudger, who has charge of the real estate of the City, for an appraisal of the property represented.

✓

A report was made by the Corporation Counsel in regard to the City appropriating to the sale of coals was made, in which he stated the City does not have the authority to make [illegible] without specific legislative authority.

[illegible] was made by Councilman Little, seconded by Councilman Brumberger, that the [illegible] the Clerk notify Mr. Frank A. Barber of the action of the Council.

Councilman Brumberger offered a resolution asking the Carolina Power & Light Company to comply with [illegible] assurances given the City Council of Asheville in connection with the city agreeing to permit it to convert from trolley cars to busses for considerati[illegible] the Clerk to furnish each member of the Council with a copy.

A motion of Councilman Miller, seconded by Councilman Westall that a committee be appointed to work out plans for handling the adjustments of paving assessments and report back to the Council at once: unanimously and the Mayor appointed Councilman Miller, Councilman Westall, the Corporation Counsel and the City Manager to consitute this committee.

[illegible] the meeting, the Mayor added the name of Councilman Crow to the committee.

[illegible] adjourned.

Mayor

E G Thompson
City Clerk.

Thursday, May 2, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Commissioners Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wilbur Westall, City Manager George L. Hackney and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

✓

A communication was read from the Asheville Central Labor Union asking the Council to see that the Asheville Power & Light Company carry out its agreement to provide employment for all men in the employ of street car operators.

It was moved by Councilman Crow, seconded by Councilman Miller, that the matter be referred to the City Manager to make a thorough investigation and report at the next meeting. The motion carried unanimously.

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Mr. B. [illegible] Young presented petitions requesting that the City Council take some steps to keep [illegible] from running at large in the streets.

This matter was on motion of Councilman Westall, seconded by Councilman Miller unanimously referred to the Corporation Counsel with request that he prepare an ordinance for presentation at the next meeting.

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Resolution providing for adjustment of assessments in the City of Asheville under authority of Senate Bill 388, Session 1935 North Carolina General Assembly was on motion of Councilman Ernest H. Miller, seconded by Councilman Chas. F. Crow, unanimously adopted.

RESOLUTION PROVIDING FOR ADJUSTMENT OF ASSESSMENTS IN THE CITY OF ASHEVILLE UNDER AUTHORITY OF SENATE BILL 388, SESSION 1935 NORTH CAROLINA GENERAL ASSEMBLY.

WHEREAS, the General Assembly of North Carolina at its 1935 session enacted a law known as Senate Bill 388 authorizing and empowering the City Council of the City of Asheville "to further adjust, reduce or cancel," assessments heretofore levied by the City of Asheville against real estate within said City; and

May [illegible] 193[illegible]

WHEREAS, the said law automatically reduced the total of all assessments heretofore levied and now standing upon record, to an amount not exceeding 10% in the aggregate of the tax value of the lot, as determined by the 1933-34 valuation for tax purposes; and

WHEREAS, the City Council of the City of Asheville is of the opinion that said reduction should involve only the lot in each case, and not any improvements thereon;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Tax Collector be and he is hereby authorized, empowered and directed, within ninety days after date, to set up new assessment records within his office in such manner so that the total amount of assessments of all kinds, if now in excess of 10% of the value of any lot as determined by the 1933-34 valuation for tax purposes, shall be precisely 10% of the 1933-34 tax valuation of the lot without improvements; and, further, the said Tax Collector is directed to credit upon said reduced assessment, that is, upon the assessment of 10% of the valuation of each lot as determined by the 1933-34 tax valuation, any and all payments which have heretofore been made upon the principal of each such assessment now of record.

I move the adoption of the foregoing resolution, this [illegible] day of May, 193[illegible].

Ernest H. Miller
COUNCILMAN

SECONDED BY:

Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this [illegible] day of May, 193[illegible].

Wilkes Wamboldt
MAYOR

F. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

[illegible]

Resolution providing for cancellation of record of opening and widening assessments heretofore declared invalid by decision of the Supreme Court of North Carolina was on motion of Councilman Ernest H. Miller, seconded by Councilman Chas. F. Crow, unanimously adopted.

RESOLUTION PROVIDING FOR CANCELLATION OF RECORD OF OPENING AND WIDENING ASSESSMENTS HERETOFORE DECLARED INVALID BY DECISION OF THE SUPREME COURT OF NORTH CAROLINA.

WHEREAS, the Supreme Court of North Carolina on January 9th, 1935 in an opinion recorded in volume 197 at page 134 of the Supreme Court Reports holds that an opening and widening assessment in excess in amount of damages was invalid in any case where [illegible] of the property owner's property was taken by the City in the widening of a street;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Tax Collector of the City of Asheville be and he is hereby authorized, empowered and directed in each and every case of [illegible] by the City of Asheville in the opening and widening of [illegible] assessment has been placed against such lot, to cancel such portion of said benefit assessment in excess of any amount of damages which may have been awarded to the owner of any such lot and which now stands upon the records as unpaid.

I move the adoption of the foregoing resolution, this 2nd day of May, 1935.

Ernest H. Miller
COUNCILMAN

SECONDED BY:

Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this 2nd day of May, 1935.

Wilkes Wamboldt
MAYOR

F. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

On motion of Councilman Jack Westall, seconded by Councilman E. H. Miller, [illegible] for the cancellation of certain benefit assessments levied on property on Biltmore Avenue by the City of Asheville on November 15, 1933 was unanimously adopted.

RESOLUTION PROVIDING FOR THE CANCELLATION OF CERTAIN BENEFIT ASSESSMENTS LEVIED ON PROPERTY ON BILTMORE AVENUE BY THE CITY OF ASHEVILLE ON NOVEMBER [illegible]

WHEREAS, the City Council of the City of Asheville adopted an assessment [illegible] on November [illegible], as indicated by Minute Docket 27 page 505; and

WHEREAS, the opening and widening of said street was consummated in such a manner that the payment of the special benefit assessments will be unnecessary:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Tax Collector be and he is hereby authorized, empowered and directed to cancel of record all opening and widening special benefit assessments on property on Biltmore Avenue and each and all within the zone of benefits and damages adopted by the City Council on November 15, 1933, except

(a) That this resolution shall apply only to the excess of special benefit assessments over and above any amount awarded to the owner of any lot; and

(b) That this resolution shall not apply to any lot where the owner thereof took an appeal from the award to the Superior Court, which appeal is still pending.

And be it further resolved, that the City Tax Collector be and he is hereby further authorized, empowered and directed to cancel of record all benefit assessments in any case where damages were awarded to the owner of any lot in any proceeding pending at the time of the passage of this resolution, provided the owner shall execute a release, releasing the City of Asheville from all obligation to pay any such damages, said release to be filed in the office of the Tax Collector of the City of Asheville, to cancel such special benefit assessments of record.

I move the adoption of the foregoing resolution, this 2nd day of May, 1935.

Jack Westall
COUNCILMAN

SECONDED BY: E. H. Miller
COUNCILMAN

Read, approved and adopted, this 2nd day of May, 1935.

Wickes Wambold
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. BLACKSTOCK
CORPORATION COUNSEL.

✓

Resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit (Meadow Realty Co. listed owner) on motion of Councilman Plott Boyd, seconded by Councilman Ernest H. Miller unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on December 3, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by tax foreclosure suits for delinquent taxes for the year 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in The Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	BID IN BY
1741	Meadow Realty Company	5-1/4	19	4	Asheville Oil Company

WHEREAS, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, receipt of which was to be signed by the listed owner and returned by the post office department to the tax department of the City of Asheville, said registered letter notifying the listed owner that the public sale was conducted on the above date and that the property was bid in as shown above; and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on the 11th day of February, 1935, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the 1928 and prior year taxes, together with the cost of advertising, and the listing of the property for taxes for the years in which the title was vested in the City of Asheville.

I move the adoption of the foregoing resolution.

Plott Boyd
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted, this the 2nd day of May, 1935

Wickes Wambold
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. BLACKSTOCK
CORPORATION COUNSEL.

Resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit (T. C.Smith listed owner) was on motion of Councilman Plott Boyd, seconded by Councilmen E. H. Miller, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on December 3, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the year 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in the Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	BID IN BY
2189	T. C. Smith	4			J. C. Reed

WHEREAS, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, said registered letter notifying the listed owner that the public sale was conducted on the above date and that the property was bid in as shown above, and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and

WHEREAS, the required thirty days have expired and the said listed owner has not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the above property has been properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on December 3, 1934, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the 1928 and prior year taxes, together with the cost of advertising, and the listing of the property for taxes for the years in which the title was vested in the City of Asheville

BE IT FURTHER RESOLVED that the rents collected by the City of Asheville on the above mentioned property be and are hereby allowed to be applied on the taxes now a lien on this property.

I move the adoption of the foregoing resolution, this 2nd day of May, 1935.

SECONDED BY: Plott Boyd COUNCILMAN
E. H. Miller COUNCILMAN

Read, approved and adopted, this the 2nd day of May, 1935

Wickes Wambold MAYOR
E. G. Thompson CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

F. W. Peterson, Secretary of Buncombe County Colored Agricultural Fair appeared before the Council and made a request for a donation to the Fair.

It was moved by Councilman Miller, seconded by Councilman Crow, voted on and unanimously carried that the City donate $100.00, the amount allowed by the State law, to the Agricultural Fair.

Councilman Miller stated that the application for a government loan for a golf course had been pending, but he expected something might work out in the near future.

Councilman Miller suggested that the resolution asking the Carolina Power & Light Company to remove its poles from the City Council of Asheville in connection with the company's permit to convert from trolley cars to busses, be held over until a report is given by the City Manager regarding the request of the Central Labor Union that employees, was granted.

On motion, adjourned.

Mayor

City Clerk

Thursday, May 9, 1935- 4:30 P. M.

The City Council met in regular session, Vice-Mayor Miller presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller and Jack Westall, and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

A communication from Auto Parts & Gear Company, by Harkins, VanWinkle and Walton, Attorneys, requesting the cancellation of assessments for widening Biltmore Avenue, Lots 10, 11 and 12, sheet 1, ward 4, was read.

A motion of Councilman Baumberger, seconded by Councilman Westall that the matter be referred to the committee on adjustment of assessments composed of Councilmen Miller, Councilman Westall, the Corporation Corporation, City Manager and Councilman Crow for investigation and report carried.

Mr. L. B. Jackson appeared before the Council and requested that the City accept Pine Tree Road on the south side of Beaverlake.

It was moved by Councilman Little, seconded by Councilman Westall voted on and unanimously that the Corporation Counsel be instructed to draw a proper resolution accepting the street.

A motion of Councilman Ernest H. Miller, seconded by Councilman Chas. F. Crow, for the adoption of a resolution providing for cancellation of all assessments against church lots was offered for consideration.

As the resolution has not been sent to the members of the Council, the Chair asked if there was any objection to the consideration of the resolution. There being no objection the Chair stated that the resolution was before the Council for consideration. A vote was taken as follows: Voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Miller and Westall. Councilman Little voted "present". the resolution was declared adopted.

RESOLUTION PROVIDING FOR CANCELLATION OF ALL ASSESSMENTS AGAINST CHURCH LOTS.

WHEREAS, the General Assembly of North Carolina at its 1935 session has passed a law reducing paving assessments to 10% of the total value of each lot with the improvements as determined by the 1933-34 tax valuation: and

WHEREAS, the General Assembly of 1933 passed a special act giving authority to the City Council of the City of Asheville to adjust or cancel all assessments now standing of record against church lots: and

WHEREAS, it is the opinion of the City Council of the City of Asheville that all assessments now standing of record against lots upon which there is now a church house in the City of Asheville should be entirely cancelled:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That all assessments of every nature and kind now standing of record against any lot within the City of Asheville upon which there is now erected and in use by a congregation for church purposes, be and the same are hereby cancelled.

Section 2. That the Tax Collector of the City of Asheville be and he is hereby authorized, empowered and directed, within sixty days after the date hereof, to cancel upon his records any and all assessments now existing against any lot upon which there is now erected and in use by a congregation for purposes of worship.

Section 3. That this resolution shall be in force and effect from and after fifteen days from the date of final passage.

I move the adoption of the foregoing resolution, this 9th day of May, 1935.

Ernest H. Miller
COUNCILMAN

SECONDED BY:

Chas. F. Crow
COUNCILMAN

Read, approved and adopted this 9th day of May, 1935.

Vance Tumblin
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

It was moved by Councilman Joseph W. Little, seconded by Councilman Jack Westall, voted on and unanimously carried that the Council adjourn this meeting out of respect to the memory of Lee H. Edwards, late Principal of the Asheville High School, whose funeral is being held in Asheville this afternoon; that this motion be recorded upon the minutes of the City Council; and that a copy of same be transmitted to the family of Mr. Edwards.

On motion, adjourned.

Mayor

City Clerk

Tuesday, May 14, 1935, 4:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Assistant Corporation Counsel Philip C. Cocke, Jr. The minutes of the previous meeting were read and approved.

A petition from residents of Merrimon Avenue and vicinity, requesting that traffic lights be installed close to the intersection of Merrimon Avenue and Hillside Street was present and on motion of Councilman Little, seconded by Councilman Boyd was held over to the next regular meeting.

A communication from the Municipal Board of Elections transmitting the official tabulation of the returns of the General Municipal Election held on the 14th day of May, 1935, also certification of the seven candidates for Councilmen, who received the highest number of votes also for Judge of the Police Court and Solicitor of the Police Court for the City of Asheville was presented and on motion of Councilman Little, seconded by Councilman Crow ordered recorded in the minutes of the Council.

TO THE HONORABLE CHIEF EXECUTIVE OFFICER OF THE CITY OF
ASHEVILLE, viz : THE HONORABLE WICKES WAMBOLDT, and
ALL OTHER TO WHOM THESE PRESENTS MAY COME : GREETINGS:

THIS IS TO CERTIFY, That the Municipal Board of Elections for the City of Asheville did, on the 14th day of May, 1935, pursuant to the power and authority vested in it by statute, and after being duly sworn in the manner prescribed by statute, meet in the City Hall in the City of Asheville, and upon receiving the original returns from the Registrars and Judges of Election for the General Municipal Elections held in the said City on the 14th day of May, 1935, did tabulate the returns made by the Registrars and Judges of the several Precincts with reference to candidates before the General Municipal Election so as to show the total number of votes cast for each candidate, and compiled on proper blanks for that purpose these returns, and does herewith transmit such returns to the Chief Executive Officer of the City of Asheville, viz:

The Honorable Wickes Wamboldt, Mayor of said City, upon a paper writing hereto attached, marked "Exhibit A," and made a part hereof, and that pursuant to requirements of statute has canvassed and judicially determined the returns so received from the polling places and has published the result thereof by reading of the same at the front door of the City Hall, and does herewith transmit to the Chief Executive Officer of the City of Asheville, such results immediately upon completion of such canvass and tabulation: that at the General Municipal Election held on the 14th day of May, 1935, the seven candidates receiving the highest number of votes for Councilmen, said number of votes received being a majority of the ballots cast in accordance with the tabulation and canvass hereinbefore mentioned, are as follows:

FOR COUNCILMEN

Holmes Bryson
Eugene Carland
James E. Divelbiss, Jr.
Robert E. Shuford
John C. Vance
Jacob F. Weaver
Robert M. Wells

FOR JUDGE OF THE POLICE COURT

Sam M. Cathey

FOR SOLICITOR OF THE POLICE COURT
Philip C. Cocke, Jr.

That the total number of votes cast in said election was ten-thousand eight-hundred and twenty-seven (10,827).

That upon completion of the canvass, tabulation, and declaration the Board found that Messrs. Holmes Bryson, Eugene Carland, James E. Divelbiss, Jr., Robert E. Shuford, John C. Vance, Jacob F. Weaver, Robert M. Wells had received the majority of the vote cast for Councilmen, that Sam M. Cathey had received a majority of the vote cast for Judge of Police Court, and that Philip C. Cocke Jr., had received a majority of the vote cast for Solicitor of the Police Court, the aforementioned electors were duly declared elected, and certificates of election have been issued to them for the respective offices to which elected.

May 14, 1935

IN WITNESS WHEREOF, we have hereunto set out hands and seals, and made oath to the foregoing tabulation and canvass and return of the results of the General Municipal Election, this the 15th day of May, 1935.

James M. Coleman (SEAL)
J. D. Sevier, Jr. (SEAL)
Charles G. Buck (SEAL)

Sworn to and subscribed before me, this the 15th day of May, 1935

Jean C. Barrow
Notary Public

My commission expires
March 22/37

Mr. George H. Wright, Attorney, filed notice of claim and demand upon the City of Asheville and the City Council by Frederic W. Baker, Thomas F. Daly, John S. Harris, Henry Hart, William C. O'Keeffe and Fred P. Hayward for payment of bonds and coupons of the City of Asheville in the amount of $105,805.00, with interest thereon, as set out in schedule attached to notice, which was on motion of Councilman Baumberger, seconded by Mayor Wamboldt, referred to the new Council.

A resolution providing for acceptance of street known as Pine Tree Road and change of name thereof was offered. A motion made by Councilman Miller, seconded by Councilman Westall, that the matter be referred to the Incoming Council was voted on and carried.

A communication from C. S. Walters, Vice-President of the Carolina Power & Light Company was read. Mr. Walters stated that the communication from the Asheville Central Labor Union had been referred to the President for reply; that it was impossible to secure an answer outlining the company's position relative to the claims for a few days.

Councilman Miller moved, seconded by Councilman Crow, that the matter be referred to the Incoming Council. This motion carried.

Councilmen Westall read a communication from members of the City-County Sub-Committee representing the City of Asheville, which was ordered embodied in the minutes.

May 14, 1935

Honorable Mayor and Members
of the City Council:

Gentlemen:

The undersigned members of the City-County Sub-Committee representing the City of Asheville beg leave to make the following report of the general progress made in the activities of this committee up to the present time:

Any feasible, equitable adjustment of the City's debt must be founded upon the proven capacity of the City to pay. Immediately upon its appointment your committee became active in accumulating and digesting information that would reasonably establish the capacity of this community to pay debt service. This has been a very tedious task involving the obtaining of an enormous mass of authoritative figures.

Through the public-spirited interest of Congressman Weaver the committee has had made available to it all the general and special reports of the United States Census Bureau relating to the finances of all the cities and counties of the nation, real estate inventories, tax delinquency reports, etc. The committee has received invaluable help from the faculty of the University of North Carolina, particularly from the Department of Rural Social Economics. The State Treasurer and Chairman of the Local Government Commission, the State Revenue Department and the State Insurance Department have made accessible to this committee records which are most informative.

The studies in which your committee have been engaged have not been completed, but already a large volume of information has been accumulated and digested. These data tend to establish the community's capacity to pay both from a comparative and absolute standpoint, and the committee is satisfied that shortly it will be possible to undertake negotiations with the Bondholders and Noteholders Committees with the view of obtaining a practicable and equitable adjustment of the debt.

...committee has studies teh finances of the City ... attention of ... size, but ... committee has become that a drastic adjustment of the debt ... if the community is to be enabled to pay the debt on the adjusted ... service.

... committee has expended approximately $300 of the joint appro... of $1,000 allotted to it. There are outstanding a few commitments ... remain the total expenditure up to approximately $500. At the ... detailed report of all expenditures will be made to the City ... County.

Respectfully submitted,
Jack Westall
Platt Boyd

✓

... report concerning a cash register for the Water ... Department.

It was moved by Councilman Miller, seconded by Councilman Westall that the ... be referred to the Incoming Council with the recommendation of this Council ... purchasing machine ... cash register be purchased for the Water Department. ... motion carried all members of the Council voting "aye" except Councilman Little ... voted "nay". Mr. Little stated that he knew nothing of the matter, it ... never been brought before the Council and that no one had spoke to him about it.

✓

The Municipal Board of Elections presented bill for $1,200 for fees for ... members of the Board and Attorney, also bill for $1,124.91 for fees of precinct ... officials and supplies.

It was moved by Councilman Crow, seconded by Councilman Miller, voted on ... bill for registrars, clerks and incidental expenses in the ... amount of $1,200.00 be paid.

... bill was moved, seconded by Councilman Westall, that the bill ... for fees of members of Municipal Board and Attorney be approved and ... to the Incoming Council. This motion carried.

✓

The request of G. C. Bartlett for permission to tap and use water from the ... Municipal Water supply on Bee Tree Road to supply household needs was ... upon motion of Councilmen Miller, seconded by Councilman Westall referred to the City Manager for report.

✓

A communication from George L. Hackney, City Manager, recommending the ... location of an additional 8" pipe line in Stratford Road was read and a motion ... Councilman Crow, seconded by Councilman Westall that this Council approves the ... location of the City Manager and that the City Manager's recommendation be ... carried out was carried; all Councilmen present voting "Aye", except ... Councilman Little, who voted "Nay".

✓

E 2

It was moved by Councilman Miller, seconded by Councilman Crow that the ... resolution ... below providing for cancellation of certain street assessments ... on Biltmore Avenue, City of Asheville be adopted.

Objection to consideration of the resolution was made by Councilmen Little ... who pointed out that it was in strict violation of the rules of the Council, and ... particularly of the Rule adopted Feb. 22, 1935, Minute Docket 27, page 564 and ... Councilman Little read the rule to the Council, insisting all the while on his point. ... The Mayor ... to rule on the point of order raised by Mr. Little and ruled as ... follows: ... that the subject matter of the resolution had been before the Council at ... last meeting ... it was not new business but in fact unfinished business ... carried over from ... Whereupon a vote was taken and the resolution carried.

... RESOLUTION ... FOR CANCELLATION OF CERTAIN STREET ASSESSMENTS ... ON BILTMORE AVENUE, CITY OF ASHEVILLE

WHEREAS, the General Assembly of North Carolina, Session 1935, by Senate Bill 280 ... gave authority to the City Council of the City of Asheville to adjust ... or cancel ... assessments of all kinds existing at said time against real estate in ... the City of Asheville, and

May 13, 1935

... Biltmore Avenue ... for ... opening and widening ... in ... Ward ... as ... for special opening and widening hearings ... in ... City Council of the City of Asheville, was unjust, owing to the fact that the Biltmore Avenue was never widened ... contemplated until November, 1932.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That all special benefits for opening and widening as levied by the assessment roll adopted by the City Commissioners of the City of Asheville on November 3, 1931 ... recorded in Minute Docket 18 Page 29 against the following lots on Biltmore Avenue in the City of Asheville be and the same are hereby completely cancelled ... namely: Lots 18, 19, 21, 22, 107, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121 ... of Sheet 1, Ward 4, as shown on the tax map of the City of Asheville; provided that ... in case of any amount of damage which may have been awarded in favor of the owners of ... said lots, and which shall remain unpaid in whole or in part, only that portion of ... such benefit assessment in excess of such damage remaining now unpaid shall be cancelled ... or passed by the provisions of this resolution.

BE IT FURTHER RESOLVED that the Tax Collector of the City of Asheville be ... instructed to set up his records according to this resolution within a period of ... ninety days after the effective date hereof; and that the effective date hereof ... be fifteen days after date of final passage.

I move the adoption of the foregoing resolution, this 13th day of May, 1935.

Ernest H. Miller
COUNCILMAN

SECONDED BY:

Chas. F. Crow
COUNCILMAN

Read, approved and adopted this 13th day of May, 1935.

Wicker Wombold
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

CORPORATION COUNSEL.

...

At this point a motion was made by Councilman Westall, ... by Councilman Miller that the meeting recess to ten o'clock, A. M., Friday, May 17, 1935, and the motion was duly carried.

May 17, 1935 - 10 o'clock, A. M.

Pursuant to recess the Council met at 10 o'clock A. M., Friday, May 17, 1935 with the following Councilmen present: John E. Roumbough, Platt Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wicker Wombold and Jack Westall.

Mayor Wombold presiding.

The City Clerk read the resignation of C. A. Blanton as Corporation Counsel as follows:

May 14, 1935

The Honorable George L. Hackney,
City Manager, and Members of the
City Council of the City of Asheville

Gentlemen:

Due to the fact that no further routine business will likely be handled by the Corporation Council between now and the termination of the present administration on next Monday, when there will be a change of city administration regardless of which side in the contest may win, and further due to the fact that I have today received my compensation for services as Corporation Counsel up through May 15th, it now seems to me that I can serve no further purpose in remaining on in the office at the City Hall during these remaining days. Therefore with kindest regards, and many thanks, to all of you, I hereby respectfully submit my resignation as Corporation Counsel, effective at midnight on May 15th.

...to [illegible], I shall be glad, without charge, to devote some time to explaining the status of the affairs of the office of the Corporation Counsel to any person who may be named as my successor.

Respectfully submitted,
C. E. Blackstock
Corporation Counsel

CHR'S

A motion of Councilman Westall, seconded by Councilman Boyd that the resignation of C. E. Blackstock as Corporation Counsel be accepted, carried unanimously.

A resolution authorizing employment of professional assistance in re: Water Bond Committee vs City of Asheville et al, Suit in United States District Court was submitted to the Council signed by Ernest H. Miller and seconded by Chas. F. Crow, and the Clerk was directed to read the same: the resolution follows:

RESOLUTION AUTHORIZING EMPLOYMENT OF PROFESSIONAL ASSISTANCE, IN RE: WATER BOND COMMITTEE vs CITY OF ASHEVILLE,ET AL,-SUIT IN UNITED STATES DISTRICT COURT.

WHEREAS, there is now pending in the United States District Court for the Western District of North Carolina, at Asheville, a suit entitled "Henry W. George, Henry Palmano, John S. Harris, Henry Hart, Fred P. Hayward, and William C. O'Keeffe, plaintiffs vs. Wickes Wamboldt, George L. Heckney, Jack Westall, John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, Ernest H. Miller, H. W. Rainey and City of Asheville, a municipal corporation, defendants", in which injunction and recovery of One Hundred Fifty Thousand ($150,000.00) Dollars is prayed against said City and individual defendants; and

WHEREAS, the Council has heretofore retained and employed James S. Howell, Esq., and Sale, Pennell & Pennell, to appear in said suit for the defendants severally and/or jointly, and the Council is desirous of ratifying the retention and employment of said counsel:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. That the retention and employment as counsel of James S. Howell, Esq., and Sale, Pennell & Pennell, be and is hereby ratified, approved and confirmed, and C. E. Blackstock is hereby likewise employed, and said attorneys are hereby designated to assist in defending said suit, for and on behalf of the defendants, severally and/or jointly, in the trial, and in any and all appellate courts, if any, of said suit, pursuant to the provisions of Article IV of the charter of said city; and

2. That the sum of $8,500.00 is hereby appropriated out of the water fund to cover attorneys fees, court costs and other expenses incident to said cause, and the Director of Finance shall be and is hereby authorized, empowered, and directed to issue warrants to said attorneys in said total amount of $8,500.00.

3. The Hon. F. Y. Webb is requested to have the names of said attorneys entered as attorneys of record in said case.

I move the adoption of the foregoing resolution, this 17th day of May, 1935.

Ernest H. Miller
COUNCILMAN

SECONDED BY: Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this 17th day of May, 1935.

MAYOR

APPROVED AS TO FORM:

CITY CLERK

CORPORATION COUNSEL

Upon the completion of the reading of the resolution by the Clerk, Frank Messer, Deputy Sheriff of Buncombe County, N.C., entered the Council Chamber and was recognized by the Mayor. Whereupon the said Deputy Sheriff immediately served upon the Mayor and all members of the City Council except Councilman Rainey who was absent and Councilman Westall who was not named, copies of summons, complaint and restraining order in an action instituted in the Superior Court of Buncombe County entitled C. O. Hill, Thomas W. Brown and Frank M. Jordan vs. Wickes Wamboldt and others; the complaint and order being as follows:

AFFIDAVIT AND COMPLAINT

The plaintiffs, complaining of the defendants, allege:

1.

That the plaintiffs are citizens and taxpayers of the City of Asheville Buncombe County, North Carolina

2.

That the City of Asheville is a municipal corporation duly created, organized and existing, and that the defendants, Wickes Wamboldt, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Ernest H. Miller, John E. Baumberger, H. W. Rainey and Joseph W. Little, are the duly elected, qualified and acting Councilmen of the City of Asheville; that the defendant, George L. Heckney, is the duly appointed and acting City Manager of the City of Asheville; that Fred A. Hull is the duly appointed and acting auditor of the City of Asheville; that the Wachovia Bank and Trust Company is a banking corporation, duly created, organized and existing, with an office and a principal place of business in the City of Asheville; and that the First National Bank and Trust Company is a banking corporation, duly created, organized and existing, with an office and principal place of business in the City of Asheville, North Carolina; and, as these plaintiffs are informed and believe, the said two banks are depositaries of the public funds belonging to the said city of Asheville.

3.

That pursuant to the provisions of the City Charter of Asheville as amended an election was duly held in said City on the 14th day of May, 1935, and the following were elected as councilmen for said City, towit: Holmes Bryson, Eugene Cleland James, E. Distelhill, Jr., Robert E. Shuford, John C. Vance, Joseph F. Weaver and Robert M. Sellers and that by virtue of the provisions of the City Charter of Asheville, as amended, the term of office of the present City Councilmen expires and the term of office of the City Councilmen elect begins on the 20th day of May, 1935.

4.

That there is now on hand in one or both of the Banks herein named public funds which have been paid by the citizens and taxpayers and water users of the City of Asheville for taxes and water rents, and other public purposes, and which are a special trust fund to be used only for public purposes; that the said taxpayers have paid said funds at a great sacrifice to themselves, and in time of hard times; and it is because that the said City of Asheville has had great difficulty in securing sufficient funds to pay the necessary running expenses of the City of Asheville, including salaries of its employees and workers, and the public funds have been so low that it has been necessary for the City of Asheville to resort to borrowing money to pay the men and women manger salaries and wages for their work as employees of the City of Asheville, and have passed resolution to borrow money for such purposes.

5.

That shortly [illegible] as aforesaid, a majority of the defendants, the City Council [illegible] and unlawfully conspired together to misappropriate and misapply large sums of the trust funds hereinbefore referred to, comprized of taxes levied and collected and water rents paid by the citizens of Asheville and to appropriate the same to private use and for ulterior purposes; that, fearing exposure, said named [illegible] on said matter until after the election which was held on the said 14th day of May, 1935; that all of the councilmen who joined in the aforesaid conspiracy and scheme were defeated in said election, or were not candidates for re-election, and realizing that their terms of office were about to expire, they again met in secret session on the 16th day of May, 1935, for the express purpose of effecting the unlawful plan theretofore employed to misapply and divert from its lawful use the public funds and water rents collected and to appropriate the same to private and unlawful uses; that, among the ways and means aformulated and secretly devised by said defendants for the wrongful and unlawful misappropriation and misapplication of said public funds, was to permit and allow the city attorney on the eve of his departure from office to employ and accept private employment on behalf of the said city and on behalf of the individual councilmen thereof, and to be paid in advance a large retainer in a sum, as these plaintiffs are informed and believe, substantially equal to two years salary; that, in addition thereto, said scheme involved the employment of a considerable number of other attorneys, all of whom were to be paid in advance large retainers on the pretext that their services were a necessary public expense, when in truth and in fact the employment of the City attorney and of the additional attorneys, as herein alleged, was a mere pretext, wholly unnecessary as a public expense on behalf of the city of Asheville; that, in addition to the aforesaid plans, all of which had been formulated in bad faith, many other schemes and devices have been cunningly and secretly conceived by said defendants, for the sole purpose of raiding the public treasury and appropriating privately and individually to the [illegible] the expense of the tax payers and water [illegible] of Asheville.

6.

That unless the defendants are restrined and enjoined in this action, all of the defendants other than the defendants Banks will, as these plaintiffs are informed and believe, pass resolutions for the illegal, fraudulent, and wrongful misappropriation of public funds for purposes other than those authorized by law, and adopted by the budget and approved by the Board of Financial control, and will debauch the public treasury and unlawfully and wrongfully, frequently and for private gain, rid the public treasury and squander public money and issue vouchers, checks and others therefor, and deprive the citizens, taxpayers and water users of the city of Asheville of their rights on the eve of the departure of the said defendants from office and after many of them have been defeated at the polls, and will, after the said defeat, carry out a nefarious scheme to unlawfully misappropriate public funds which are devised secretly prior to the election but withheld until after the election because of their fear for the effect which it might have upon the voters at said election: and as these plaintiffs are advised

May 17, 1935

...and believe, there is many sly and fraudulent schemes in the minds of the defendants ... in the defendant Banks to misappropriation of the public funds under various ... and that for the protection of the citizens and taxpayers it is ... enjoin the defendants from passing any resolution, issuing any ... or paying any money for any purpose whatsoever other than ... of employees regularly on the payroll, such salaries only ... been likewise adopted in the budget and approved by the Board of ... Control, or for services heretofore rendered.

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That the plaintiffs and the other citizens, taxpayers and water users of the City of Asheville have no adequate remedy at law and will suffer great and irreparable injury unless a restraining order is issued and the unlawful and fraudulent diversion of the public funds into the pockets of private individuals, enjoined and restrained in this action. That if said resolutions are passed, it is the scheme and plan of the said defendants other than the Bank to pay out said money immediately and into channels ... it cannot be recovered, and the said money will be finally and irreparably lost ... to the taxpayers and water users of the city of Asheville.

WHEREFORE plaintiffs pray:

1. That the defendants and each of them, other than the defendant Banks, their agents, servants and employees, be enjoined and restrained from passing any resolution ... the payment of any money or issuing any check, voucher or order to any attorney or ... to any other person whomsoever except for the payment of salaries of regularly employed employees of the City of Asheville already on the payroll of said city of Asheville for salaries which have hitherto been approved by the Board of Financial Control of Buncombe County, and the absolutely necessary running expenses of the City of Asheville ... the budget hitherto approved; and that they be restrained and enjoined from ... any resolution providing for the employment of any attorneys to conduct any future litigation, either on behalf of the defendant, the City of Asheville, or on behalf of any individual city councilmen of the City of Asheville, or from making any ... contracts of any kind whatsoever obligating the City of Asheville for the payment of any sums of money; and be further restrained from paying out any moneys or issuing any vouchers, checks or orders for the payment of moneys except as herein mentioned in this prayer.

2. That the defendants Wachovia Bank and Trust Company and First National Bank and Trust Company be enjoined from honoring any check, draft or voucher of the said City of Asheville, or from paying out any money belonging to the City of Asheville ... other than for the legitimate expenses of said City as in this prayer expressly mentioned.

... For the costs of this action; and

... For such other and further relief as plaintiffs may be entitled to receive.

Thomas L. Johnson
G. Lyle Jones
ATTORNEYS FOR PLAINTIFFS

RESTRAINING ORDER

This cause coming on to be heard and being heard before His Honor, Wilson Warlick, Judge holding the courts of the 19th Judicial District, at Chambers in the town of Newton, N. C., on this the 17th day of May, 1935, and it appearing to the Court that from the modified complaint herein filed, the plaintiffs have shown a prima facie cause for injunctive relief, as prayed for in said complaint, and the said plaintiffs have given an undertaking, as required by law.

IT IS, THEREUPON CONSIDERED AND ADJUDGED BY THE COURT that the defendants, ... each of them (other than the defendant banks) their agents, servants and employees, be and they are hereby enjoined and restrained from passing any resolutions for the employment of attorneys or for the payment of any money, or issuing any check, voucher or order to any attorneys or from appropriating and paying out any funds for any purpose whatsoever except for the payment of the salaries of regularly employed employees of the city of Asheville already on the pay-roll of the said city, on salaries which have heretofore been approved by the Board of Financial Control of Buncombe County, and the absolutely necessary running expenses of the city of Asheville under the budget hitherto adopted and approved; and the said defendants, other than the defendant banks, are further restrained and enjoined from the passing of any resolution providing for the employment of any attorneys to conduct any future litigation, either on behalf of the defendant, the city of Asheville, or on behalf of any individual city councilman of the said city of Asheville and from making any other contracts of any character whatsoever obligating the city of Asheville for the payment of any sums; and the said defendants, other than the defendant banks, and each of them, their agents, servants and employees are hereby restrained and enjoined from paying out any moneys or issuing any voucher, check or order for the payment of any sum of money whatsoever for any purpose other than for services already rendered by such employees and absolutely necessary public running expenses authorized by the Budget and hitherto approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant, Wachovia Bank and Trust Company and the First National Bank and Trust Company, of Asheville, N. C., be and they are hereby enjoined from honoring any check, draft or voucher of the said city of Asheville, issued by any of the defendants herein, or for the paying out of any money belonging to the said City of Asheville, other than for the legitimate expenses of said city, as in this order specifically authorized.

May 17, 1935

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this restraining order shall be served by the Sheriff of Buncombe by leaving a copy thereof with each of the defendants herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendants be and they are hereby required to appear before the undersigned Judge, at Chambers, in the City of Asheville, N. C., on the 29 day of May, 1935, at ten o'clock, A. M., and show cause, if any they can, why this injunction should not be made permanent.

And this cause is retained for further orders.

Wilson Warlick
JUDGE HOLDING THE COURTS OF THE
NINETEENTH JUDICIAL DISTRICT.

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At this point Mr. Joseph L. Auten, Attorney, asked to be recognized for the purpose of reporting on work done by him under the direction of C.E.Blackstock, City Corporation Counsel in pursuance of the Council's action of April 11, 1935. Mr. Auten was duly recognized and reported that he had performed services in the case of George et als v. Wemboldt, et als, for the benefit of the defendants, due report having been made to the Council and also to the Corporation Counsel: that on March 5, 1935 he rendered a bill to the City for partial services which is set out below.

Mr. Auten also stated that from March 5th to date he had performed various additional services, including trips for hearings at Shelby and Greensboro and that he would at a later date ask leave to file bill for such services. He stated that his bill for services rendered on March 5th had not been paid and requested immediate payment.

Mr. Auten stated that he was told by Mr. Blackstock on the morning of April 19th, 1935 that "heretofore you have been employed de facto in the case of Henry W. George et als vs. Wickes Wemboldt et als, which is a suit known as the $150,000 personal damage suit I now employ you de jure under the authority given me by the City Council yesterday afternoon".

Mr. Auten requested that his bill of March 5, 1935, together with copy of letter attached from Judge Webb be recorded on the minutes as follows:

Asheville, N. C. 3-5-1935

City of Asheville
Asheville, N. C. to Joseph L. Auten, Attorney, Dr.

Henry W. George et als, vs. Wickes Wemboldt et als.:

To retainer fee and legal services rendered individual defendants, including preparation of pleas, making briefs on different pleas, preparing and presenting arguments to Court and other services including date of order making City of Asheville a party defendant on March 5, 1935----------$1,000.00

The following endorsement of corporation counsel appears on the bottom on the bill: "To Mr. Hackney: The above statement is in regard to the $150,000 personal suit brought against the City officials, and about which the Council passed a resolution relating to fees. C.E.B."

United States Court Chambers
Shelby, N. C.
Edwin Yates Webb, District Judge
Western District.

March 20th, 1935

Mr. George L. Hackney, City Manager
Asheville, N. C.

Dear Mr. Hackney:

I am of the opinion that a fee of one thousand dollars to some attorney for representing the individual defendants in the case of Henry George and other v. Wemboldt and others will be a reasonable attorney's fee.

Very truly yours,
E. Y. Webb.

At this point upon motion of Councilman Baumberger, seconded by Councilman Westall, the meeting recessed for fifteen minutes.

Pursuant to recess the Council met at 12 o'clock, noon, the roll was called and the following were present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wemboldt and Jack Westall.

Upon motion of Councilman Boyd, seconded by Councilman Miller the Council again recessed until 3 o'clock, P. M.

May 17, 1935

The Council met at 7 o'clock, P. M. pursuant to recess, the following Councilmen being present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall.

A motion was made by Councilman Miller, seconded by Councilman Crow, that the meeting again recess until 8 o'clock, P. M., May 17th. This motion carried.

Pursuant to recess the Council met at 8 o'clock, P. M., May 17th with the following members present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall.

A motion was made by Councilman Miller, seconded by Councilman Westall that the Council reconsider its action taken at 10 o'clock today in accepting the resignation of C. E. Blackstock as Corporation Counsel.

Councilman Little obtained the floor and inquired of the Mayor the reason for the motion. The Mayor replied that the proponents did not have to give a reason unless they desired to, whereupon Councilman Little asked both Councilmen Miller and Westall the reason they had for reconsidering and both declined to give any reason.

Whereupon a vote was taken and all Councilmen present voted in the affirmative except Councilman Little, who voted "no".

It was moved by Councilman Boyd, seconded by Councilman Miller that the Council do not accept the resignation of Corporation Counsel Blackstockk. All Councilmen present voted "aye" on this motion except Councilman Little, who voted "no".

At this point Councilman Baumberger offered a resolution, which was seconded by Councilman Westall; entitled Resolution instructing attorneys for the City of Asheville in the case of "Henry W. George, Harold Palagano, John W. Harris, Henry Hart, Fred P. Hayward and William C. O'Keeffe on behalf of themselves and all other owners and holders of water bonds and sewer bonds of the City of Asheville, North Carolina, and annexed municipalities, plaintiffs vs. The City of Asheville, North Carolina, a municipal corporation of North Carolina, and Wickes Wamboldt, Mayor of the City of Asheville, North Carolina, George L. Hackney, as City Manager of the City of Asheville, North Carolina, and as Director of Finance and as Treasurer of the City of Asheville, North Carolina, and Wickes Wamboldt, Jack Westall, John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, Ernest H. Miller, and H. W. Rainey as members of the Council of the City of Asheville, North Carolina, Defendants" To consent to an order to hold the net water revenues intact until the final adjudication of said suit".

RESOLUTION INSTRUCTING ATTORNEYS FOR THE CITY OF ASHEVILLE IN THE CASE OF "HENRY W. GEORGE, HAROLD PALAGANO, JOHN W. HARRIS, HENRY HART, FRED P. HAYWARD and WILLIAM C. O'KEEFFE on behalf of themselves and all other owners and holders of water bonds and sewer bonds on the City of Asheville, North Carolina and annexed municipalities, plaintiffs vs. THE CITY OF ASHEVILLE, NORTH CAROLINA a municipal corporation of North Carolina, and WICKES WAMBOLDT, Mayor of the City of Asheville, North Carolina, GEORGE L. HACKNEY, as City Manager of the City of Asheville, North Carolina, and as Director of Finance and as Treasurer of the City of Asheville, North Carolina, and WICKES WAMBOLDT, JACK WESTALL, JOHN E. BAUMBERGER, PLOTT BOYD, H. G. BROOKSHIRE, CHARLES F. CROW, JOSEPH W. LITTLE, ERNEST H. MILLER, and H. W. RAINEY as members of the Council of the City of Asheville, North Carolina, Defendants" TO CONSENT TO AN ORDER TO HOLD THE NET WATER REVENUES INTACT UNTIL THE FINAL ADJUDICATION OF SAID SUIT.

WHEREAS, there is now pending a case entitled "Henry W. George, Harold Palagano, John W. Harris, Henry Hart, Fred P. Hayward and William C. O'Keeffe on behalf of themselves and all other owners and holders of water bonds and sewer bonds of the City of Asheville, North Carolina, and annexed municipalities, plaintiffs -vs- The City of Asheville, North Carolina, a municipal corporation of North Carolina, and Wickes Wamboldt, Mayor of the City of Asheville, North Carolina, George L. Hackney, as City Manager of the City of Asheville, North Carolina, and as Director of Finance and as Treasurer of the City of Asheville, North Carolina, and Wickes Wamboldt, Jack Westall, John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, Ernest H. Miller, and H. W. Rainey as members of the Council of the City of Asheville, North Carolina, Defendants" now pending in the Circuit Court of Appeals of the Fourth District; and

WHEREAS, it is upon the intention of the City Council, as indicated by its resolution of September 8, 1935, to devote the net revenues on hand at the end of the fiscal year, June 30, 1935, to debt service payments; and

WHEREAS, there is a controversy between the plaintiffs and defendants as to the effect of certain statutes upon said funds; and

WHEREAS, the said case has been decided in favor of the defendants in the United States District Court for the Western District of North Carolina, andhas been appealed by the plaintiffs to the Circuit Court of Appeals; and

WHEREAS, it is deemed advisable that said fund be held intact, together with the net revenues to be hereafter derived, until the consummation of this suit:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

May 17, 1935

That the attorneys of record in said case, Alfred S. Barnes and C. E. Blackstock Corporation Counsel, be and they are hereby instructed to consent to an order to hold the net water revenues in order that the said net water revenues may be held intact during the pendency of said suit and until the final determination, and without prejudice to the contention of the parties in the pending suit.

I move the adoption of the foregoing resolution, this 17th day of May, 1935.

John E. Baumberger
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

Read, approved and adopted, this 17 day of May, 1935

Wickes Wamboldt
MAYOR

E. H. Thompson
CITY CLERK

APPROVED AS TO FORM:

CORPORATION COUNSEL.

Councilman Little obtained the floor for the purpose of speaking to the question embodied in the resolution whereupon the Mayor declined to permit him to debate on shut off all debate and no discussion whatever was allowed on the resolution.

Councilman Little protested that such action on the part of the Mayor was in violation of the rules of the Council, that the introduction of the resolution was in violation of the rules of this Council for the reason that no previous notice had been given to the members of the Council and that this was the first time he had seen or heard of such a resolution. Mayor Wamboldt ruling was that when the resolution was introduced no objection was offered to its consideration. The previous question was moved by Councilman Baumberger.

A roll call was taken as follows: voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Miller, and Westall, voting "no" Councilmen Little and Mayor Wamboldt. Councilman Little stated his only reason for voting at all was because he wished to express his disapproval of the resolution and for that reason he voted "no", but without prejudice to his rights to at all times insist that the Council's action was illegal.

Councilman Little obtained the floor on the question of personal privilege and was reading to the Council a portion of a newspaper article dealing with an injunctive suit entitled C. E. Hill and others vs Wickes Wamboldt and others, but before he was permitted to conclude and make his point of personal privilege, Councilman Miller was recognized by the Chair and made a motion, seconded by Councilman Westall that the Council recess until 10 o'clock tomorrow morning.

Councilman Little wished that the following be recorded: that in the midst of his address under personal privilege he was interrupted by members of the Council and the Mayor and there undertook to recess the meeting.

The meeting recessed until 10 o'clock tomorrow morning, May 18, 1935.

Pursuant to recess the Council met at 10 o'clock Saturday morning, May 18, the following members of the Council being present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall.

Upon motion of Councilman Miller, seconded by Councilman Westall, the Council again recessed until 8 o'clock P. M., Saturday night.

Pursuant to recess the Council met at 8 o'clock, P. M., Saturday, May 18, the following members being present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager George L. Hackney and Corporation Counsel, C. E. Blackstock.

A motion was made by Councilman Miller, seconded by Councilman Westall that the meeting recess for thirty (30) minutes.

Pursuant to recess the Council met at 8:30.

RESOLUTION NO. [illegible]

A resolution providing for setting aside water revenues on hand at termination of present city administration to debt service fund was on motion of Councilman Ernest H. Miller seconded by Councilmen Chas. F. Crow, offered.

Councilman Little opposed the introduction of the resolution on the grounds that it was illegal and that it was submitted without any previous notice to the Council.

After some debate on the resolution a motion was made by Councilman Boyd, seconded by Councilman Miller that the rules be suspended. This motion was put to a vote: all Councilmen voted "aye" except Councilman Little, who voted "no".

A vote was taken upon the adoption of the resolution: Councilmen Boyd, Brookshire, Crow, Miller, Wamboldt and Westall voted "Aye", Councilmen Baumberger and Little voted "No" the resolution was carried.

RESOLUTION PROVIDING FOR SETTING ASIDE WATER REVENUES ON HAND AT TERMINATION OF PRESENT CITY ADMINISTRATION AS DEBT SERVICE FUND.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the resolution passed by the City Council on May 17th, 1935 relating to water revenues be and the same is hereby rescinded, and the following substituted in lieu thereof:

That all revenues derived from the operation of the Asheville water system from the beginning of the fiscal year 1934-1935 to, and including May 18, 1935, and on hand at the close of business on said last named date, be and the same are hereby designated as "net water revenues" in contemplation of the resolution passed by the City Council on September 24th, 1934, and the City Manager, as Director of Finance and Treasurer, is hereby directed to segregate and set a separate account, fund, or item, and to turn over intact said revenues or funds so much, to the proper Finance Officer of the incoming City Administration, as to account thereof.

I move the adoption of the foregoing resolution this the 18th day of May, 1935.

Ernest H. Miller
COUNCILMAN

SECONDED BY:

Chas. F. Crow
COUNCILMAN

Read, approved and adopted, this 18th day of May, 1935.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. E. Blackstock
CORPORATION COUNSEL

Upon motion made by Councilman Miller, seconded by Councilman Westall, the Council recessed to 2 o'clock, A. M., Monday morning, May 20, 1935.

The Council met at 2 o'clock, Monday morning, May 20, 1935, pursuant to recess, with the following present: Councilmen John E. Baumberger, Plott Boyd, S. G. Brookshire, James W. Little, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall.

The minutes of the previous meeting were read and on motion of Councilman Miller approved as amended up to this moment. (Correction made in minutes).

Mr. Grove L. Bowman, City Manager, presented the city auditors special report as of the close of business Saturday, May 18th and a resume of accomplishment during his term of office.

It was moved by Councilman Little, seconded by Councilman Miller, voted on and carried, that the report be received and filed and made a part of the minutes.

REPORT OF CITY MANAGER
May 20, 1935

To the Mayor and Members of the Council:

I present the City Auditors special report as of the close of business Saturday, May 18th.

The statement shows the City has

		$341,288.06
Set aside for City Schools	$54,033.80	
Debt Service Tax collections	102,598.79	
Net [illegible]	152,940.80	
Increase [illegible]	21,930.38	338,609.79
Available cash for operations		2,685.27

The report also shows unexpended allotment to be $15,660.52. In other words we have operated this account under the budget this year up to this time.

My intimate connection with and deep interest in city affairs during the past [illegible] years make it impossible for me to refrain from requesting your indulgence while I give a short resume of what I consider to be the worth while things accomplished during that period

Regarding the financial situation, which has been a real problem, I state emphatically that at the beginning of each fiscal year we worked out the most economical budget it seemed possible for us to operate under, which budget, as you know, went to Commissioner Ray Bacon of Financial Control, whose business it is to compel economy, and not be concerned with how to live on the amount that budget last year and over $1,000,000 under this budget this year up to this time.

The combined City and County tax levy for the fiscal year 1932-33 was $2.00 on real estate valuation of $100,300,000 with the combined tax levy for 1934-35 $1.70 on a real estate valuation of $51,000,000., making a 37½% less tax rate. This rate to the taxpayers over last year of $1.20 on $100 on a saving to the taxpayers over last year of $1,000,000. This rate to the taxpayers over last year of $1.20 on $100 on a saving to the taxpayers over last year of $1,000,000. This reduction this year was forced by the refusal of the Council to make any levy for the sinking fund, except the net receipts from the water department, because of the contracts with certain suits by the bondholders and noteholders and other contracts. These contracts have meant the saving of hundreds of thousands of dollars to the taxpayers of Asheville and Buncombe County.

The carrying on of the city's operations, involving expenditures of approximately $1,500,000. has been accomplished without borrowing any money except $20,000 last year for completion of the city's collateral by the Board of Financial Control.

During the past two years the city has on two occasions been under great difficulties in many instances, because of its inability to borrow money in anticipation of revenue, there being no revolving fund. This has led to the most careful checking necessary to keep the routine operations of the city going to meet weekly and semi-monthly payrolls. Notwithstanding these difficulties I am happy to say that every payroll has been met in full on time and in cash. This means that approximately forty thousand dollars per month has been put in circulation in the city, which, it will be realized, is quite an element in business stimulant.

I think it will be generally conceded that the Police Department has made great strides during these two years. All police cars have been equipped with short wave radio receivers; fingerprint section installed and a general training of the whole department. The new traffic ordinance is absolutely up to date. No city of any size in the land has a better ordinance.

The Fire Department has been kept up to the last training it took years ago. Improvements have occurred in the work hours of the firemen; the Biltmore Fire Station practically rebuilt and the physical condition of all its property greatly improved. So efficient is our Fire Department that we have one of the lowest per capita losses of any sizable city in the entire civilized world. Fire average being $4.00 per capita while ours for five years has averaged only 84 cents.

The Public Health has been well looked after through the regular channels. The passing of the new milk ordinance has an important step. We have made [illegible] in this respect. The nursing service has been reorganized under the direction of a competent supervisor. The city clinics are well equipped and work in the city laboratory has greatly expanded.

At the Recreation Park, new bath-houses and pavilions have been built, new roads constructed and much other work done. All other city parks have been greatly improved.

A new swimming pool in Horney Heights Park is in course of construction and almost completed, a wonderfully worth-while project.

A sixteen acre tract has been secured in West Asheville and dedicated as a park for use by the citizens of that vicinity.

A general beautification program has been in continuous operation. This has included the rounding off of dangerous corners; cutting back banks which obstructed the view of traffic; planting of thousands of calinia, rhododendron plants and shrubs; sowing grass and grading sidewalks.

The change from street cars to buses and the covering of street car tracks has been accomplished during this period, putting Asheville in line with other progressive cities in this respect.

Many streets have been re-surfaced, among them, Chestnut Street, Montford Avenue and Haywood Street.

The widening and paving of Haywood Road in West Asheville is now under contract and will be completed before mid-summer.

The widening and paving of Biltmore Avenue, Broadway and Merrimon Avenue, at a cost of $888,000 is a wonderful piece of work of which the whole city is familiar. It has made of this thoroughfare a boulevard almost equal to such well-known drives as Michigan Avenue, Chicago, Woodward Avenue, Detroit, Peach Tree Street, Atlanta, or even the world renowned Princes Street, Edinboro.

[illegible] I want to call attention to the mammoth piece of work done on our water shed. Eight miles of new main line was taken up on the Hoe Mine Gap, because it was not being used and placed on the North Fork Shed, making available to the city an additional [illegible] millions gallons of water per day. A new concrete dam, 250' in length containing 600 cubic yards of concrete and equipped with movable trash racks and screens has been built.

May 22, 1933

A chlorinator plant equipped with new chlorinators and ammoniators, pumps, etc. has been installed and a handsome work house for the Chief Warden built. A new main line linking White Fawn and Beaverdam reservoirs has been laid. Roads greatly improved and five new bridges built. All these improvements, costing close to $350,000. put our water [illegible] in splendid condition.

In these two years of a million dollars have been spent on city improvements in the three years, not counting the regular upkeep of streets, parks, sewers, etc.

This 20th day of May, 1933.

Geo. L. Hackney
City Manager

It was moved by Councilman Miller, seconded by Councilman Westall, that the minutes be approved as read.

A motion of Councilman Westall, seconded by Councilman Miller that this meeting adjourn sine die carried.

Mayor

E G Thompson
City Clerk

Monday, May 22, 1933, 4 P.M.

At the first meeting of the newly elected City Council held in the Council Chamber of the City Hall, the certificates of Election of the members of the Board of Councilmen of the City of Asheville were filed and the retiring mayor, Honorable Wickes Wamboldt administered oaths of office to the following councilmen:

Holmes Bryson
Eugene Carland
James E. Divelbiss, Jr.
Robert E. Shuford
John C. Vance
Jacob F. Weaver
Robert M. Wells

and to Judge Sam M. Cathey and Solicitor Philip C. Cocke, Jr.

Following the administration of the oaths, on motion of Councilman Weaver, seconded by Councilman Bryson, it was unanimously voted that Councilman Carland be appointed temporary chairman.

MAYOR ELECTED

Councilman Carland declared nominations in order for Mayor. Councilman Vance nominated Councilman Robert M. Wells, which was seconded by Councilman Shuford, a vote taken and Councilman Wells was unanimously elected Mayor of the City of Asheville.

VICE MAYOR ELECTED

Mayor Wells then declared nominations in order for Vice Mayor. Councilman Shuford nominated Councilman Holmes Bryson. Councilman Divelbiss seconded the nomination and Councilman Bryson was unanimously elected Vice-Mayor.

CITY CLERK ELECTED

Nominations were declared in order for City Clerk. On motion of Councilman Weaver, seconded by Councilman Bryson and unanimously carried, Mrs. E. G. Thompson was elected City Clerk.

A motion of Councilman Shuford, seconded by Councilman Weaver that the Council go into executive session for a short period of time, carried.

The Council reconvened at 11 o'clock.

CITY MANAGER ELECTED

Mayor Wells declared nominations for the office of City Manager in order and upon motion of Councilman Vance, seconded by Councilman Weaver, Mr. Pat M. Burdette was unanimously elected City Manager of the City of Asheville.

CORPORATION COUNSEL

Nominations were declared in order for Corporation Counsel. Councilman Shuford nominated R. R. Williams and A. Hall Johnston as City Counsel; the salary not to exceed the present salary. This motion was seconded by Councilman Carland, voted on and unanimously carried and R. R. Williams and A. Hall Johnston were elected.

WACHOVIA BANK
FIRST NATIONAL BANK

Councilman Carland made a motion, which was seconded by Councilman Weaver, voted on and unanimously carried, that the Wachovia Bank and Trust Company and the First National Bank and Trust Company be designated as depositories for city funds.

BONDS

A motion of Councilman Carland, seconded by Councilman Bryson, that the amounts of the bonds of the city officials remain the same until further notice, carried unanimously.

ASSISTANT CITY JUDGE

Councilman Divelbiss moved, seconded by Councilman Weaver, that Earl W. Blackstock be nominated as Assistant City Judge. A vote was taken and Mr. Blackstock was unanimously elected.

SOLICITOR OF POLICE COURT

Councilman Shuford nominated William C. Hampton as Assistant Solicitor of Police Court, this nomination was seconded by Councilman Carland, a vote taken and Mr. Hampton was unanimously elected.

CORPORATION COUNSEL

Mr. Philip C. Cocke Jr. was nominated as Assistant Corporation Counsel by Councilman Bryson, the nomination seconded by Councilman Weaver, a vote taken and Mr. Cocke was unanimously elected.

The meeting adjourned until Thursday, May 23rd at 4:30 P. M. in the Council Chamber.

Mayor R. M. Wells

E G Thompson
City Clerk

Thursday, May 23, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wells presiding. Present: Councilmen Holman Bowman, Eugene Garland, J. E. Divelbiss, Jr., Robert E. Shuford, John C. Vance, Jacob F. Weaver and Robert M. Wells, City Manager Pat M. Burdette and Connection Counsel R. S. Williams. The minutes of the previous meeting were read and approved.

Councilman Bowman offered a motion, which was seconded by Councilman Vance, that the rules of business under which the former Council operated be adopted by this Council, and that the rules of conduct be annulled; and that a Committee be appointed to [illegible] this Council may find necessary. This motion carried unanimously.

A motion of Councilman Vance, seconded by Councilman Divelbiss, that the salaries of the Mayor and Councilmen be the same as adopted heretofore, was unanimously carried.

A petition was received of residents of Merrimon Avenue and vicinity requesting that two traffic lights be installed, one to the intersection of Merrimon Avenue and Hillside Street and one at the intersection of Merrimon Avenue and Chestnut Street. On motion of Councilman Shuford, seconded by Councilman Vance, unanimously carried, the petition was referred to City Manager.

A notice of claim and demand upon the City of Asheville and the City Council thereof by Messrs. George H. Smathers, Frederic W. Ecker, Thomas F. Daly, John S. Harris, Henry Hart, William C. O'Keeffe and Fred P. Hayward for payment of bonds and coupons of the City of Asheville in the amount of $105,805.00, was on motion of Councilman Bowman, seconded by Councilman Garland unanimously ordered referred to the Corporation Counsel.

NORTH CAROLINA
BUNCOMBE COUNTY.

NOTICE AND DEMAND

TO [illegible] MAYOR AND CHIEF OFFICER OF THE CITY OF ASHEVILLE, AND TO THE HONORABLE BOARD OF CITY COUNCIL OF THE CITY OF ASHEVILLE, AND TO ALL WHOM IT MAY CONCERN, AND ALL OTHERS IN SAID CITY:

All and each of you will take notice that the undersigned Frederic W. Ecker, Thomas F. Daly, John S. Harris, Henry Hart, William C. O'Keeffe and Fred P. Hayward own and holdens as joint tenants and not as tenants in common of and entitled to immediate payment of the bonds and coupons of the City of Asheville, with interest thereon, as set out in schedule of same [illegible] marked Exhibit A, and made a part hereof. The undersigned hereby make claim and demand upon said City of Asheville and the City Council thereof, and upon all the lawful authorities of said City for payment of each and all of said bonds and coupons with interest thereon, as set out in said Exhibit A; and the undersigned hereby present each and all of said claims to the lawful City authorities to be audited, allowed and paid pursuant to statute; and hereby present said claims in writing to the Governing Board and City Council, and to the Mayor of said City as Chief Officer thereof, and make demand upon each and all of the persons and bodies to whom this notice is directed for the audit, allowance and payment of each and all of said bonds and coupons, on all dates as set out and described in said Exhibit A.

This the 4th day of April, 1935.

Frederic W. Ecker
Thomas F. Daly
John S. Harris
Henry Hart
William C. O'Keeffe
Fred P. Hayward

"EXHIBIT A"

Issuer	Bonds Dated	Amount Of Issue	Purpose	Int. Rate %	Matured Claims: Maturity	Bonds Nos.	Amount
[illegible]	[illegible]		School	5	(10/1/32	47/8-59	$ 37.5
					(4/1/33	47/8/-59	37.5
					(10/1/33	47/8-59	37.5
					(4/1/34	1/32-35	
					(	39/42	
					(	46/49-	
					(	52/60	695.0
				(Coupons)	(10/1/34	1/32-35	
					(	39/42-46/49	
					(	52/60	695.0
					(4/1/36	1/32-35	
					(	39/42-46/49	
					(	52/6-	695.0

May 23, 1935

Matured Claims

Issuer	Bonds Dated	Amount Of Issue	Purpose	Int. Rate %	Maturity	Bonds Nos.	Amount
Asheville	3/1/30		City Hall	5% (bonds)	(3/1/35	[illegible]	1000.00
					(3/1/	[illegible]	
					(		
					(3/1/	[illegible]	45.50
				(Coupons)	(		
					(3/1/	[illegible]	
					(9/1/34	1/25	1745.50
					(3/1/35	1/25	1745.50
Asheville	3/1/30		Street Improvement	5% (bonds)	(3/1/35	1/25	1745.50
					(3/1/	1/	1000.00
					(3/1/	101	65.50
					(3/1/	81-91/100	
					(	101	
				(Coupons)	(9/1/33	81-91/100	330.00
					(	101	
					(3/1/34	1/175	4819.50
					(9/1/34	1/175	4819.50
					(3/1/35	1/175	4819.50
Asheville	3/1/30		General Corporate	5% (bonds)	(3/1/35	1/19	1500.00
					(9/1/32	385/6	65.00
					(3/1/33	939/40	
					(	945/6	
					(	985/90	
					(	993/300	
					(	385/6	930.00
					(9/1/33	939/40	
				(Coupons)	(	945/6	
					(	985/90	
					(	993/300	
					(	385/6	930.00
					(9/1/34	1/900	
					(	993/300	
					(	985/90	
					(	399/430	
					(	439/484	
					(	489/650	17000.50
Kenilworth	9/1/17		Street Improvement		(9/1/	14	1000.00
					(9/1/	15	1000.00
				(Bonds)	(9/1/	16	1000.00
					(9/1/	17	1000.00
					(9/1/	14/17	190.00
					(9/1/	14/17	190.00
					(9/1/	14/17	190.00
					(9/1/	14/17	190.00
				(Coupons)	(9/1/	14/17	190.00
					(9/1/	14/17	190.00
					(9/1/	14/17	190.00
					(9/1/	14/17	190.00
Kenilworth	10/1/20		City Hall and Fire Equipment		(4/1/	14/	60.00
					(10/1/	14/	60.00
					(4/1/34	14/5	60.00
					(10/1/	14/5	60.00
				(Coupons)	(4/1/35	14/5	60.00
Kenilworth	5/1/20		Water & Sewer	5%	(5/1/31	1	1000.00
					(5/1/	-	1000.00
					(5/1/32	-	1000.00
				(Bonds)	(5/1/	-	1000.00
					(5/1/35	5	1000.00
					(5/1/	2/11	975.00
					(5/1/33	3/11	947.50
					(11/1/33	4/11	920.00
				(Coupons)	(5/1/34	4/11	920.00
					(11/1/34	5/11	192.50
					(5/1/35	5/11	192.50

The symbol #/# indicates numbers inclusive. Total Matured Claims $ 105805.00

[illegible]

The request that the City accept a street known as Pine Tree Road, in the vicinity of Beaver Lake was on motion of Councilman Weaver, seconded by Councilman Garland referred to the City Manager for investigation and report.

[illegible]
KIWANIS CLUB

Mr. H. W. Kindler, representing the Kiwanis Club, requested that a sewer line be extended to connect with Hominy Creek Sewer to accommodate property to be use as preventorium. He stated the former Council had assured that this line would be constructed. This matter was on motion of Councilman Vance, seconded by Councilman Garland unanimously referred to the City Manager and the City Engineer for investigation and report at next meeting.

On motion of Councilman Divelbiss, seconded by Council Vance, the meeting adjourned to meet next Thursday, May 30, 1935- at 4:30 P. M.

Mayor R. M. Wells

City Clerk Eels Thompson

y 30, 19[illegible]

Thursday, May 30, 1935- 4:30 P. M.

The City Council met in regular session: Mayor Wells presiding. Present: Council [illegible] Messrs. J. F. Divelbiss, Jr., Robert E. Stuart, J. C. Vance, Jacob Weaver and Horace L. Wells. City Manager, Pat M. Brandt and City Attorney Harold W. Williams. The minutes of the previous meeting were read and approved.

Councilman Divelbiss moved the adoption of An ordinance changing the name of Gash [illegible] in West Asheville to Richmond Avenue. This motion was seconded by Councilman Vance.

A motion of Councilman Divelbiss, seconded by Councilman Carland, that the rules be suspended and the ordinance placed on all three readings carried unanimously, all Councilmen voting in the affirmative.

The motion was then voted on all three readings; all Councilmen voting for Mayor [illegible] the motion was declared adopted.

ORDINANCE #[illegible]

AN ORDINANCE CHANGING THE NAME OF GASH STREET LOCATED IN WEST ASHEVILLE TO RICHMOND AVENUE.

WHEREAS, a petition was presented to the City Council of the City of Asheville by all of the property owners owning property on Gash Street; and

WHEREAS, said petition sets forth that said property owners are desirous of having the name of Gash Street changed to Richmond Avenue; and

WHEREAS the Council finds as a fact that this change is necessary and desired.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the name of Gash Street be and it is hereby changed to Richmond Avenue, and the City Manager is hereby instructed to have markers placed along [illegible]

The motion of the foregoing ordinance, this 30th day of May,

J. F. Divelbiss, Jr.
COUNCILMAN

SECONDED BY: J. C. Vance
COUNCILMAN

Read, approved and ordered, this 30th day of May, to become effective [illegible] of June, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
ASST. CORPORATION COUNSEL

On motion of Councilman Carland, seconded by Councilman Weaver, A resolution [illegible] by the City Council of the City of Asheville on the 13th [illegible]

A RESOLUTION CONFIRMING A RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE ON THE 13th DAY OF APRIL, 1935.

WHEREAS, the City Council of the City of Asheville adopted a resolution [illegible] April, 1935, authorizing and empowering the sale of tax anticipation [illegible] not exceeding $75,000.00; and

WHEREAS, it was stated in said resolution that said tax anticipation notes [illegible] on January 1, 1936; and

WHEREAS, said maturity date mentioned in said resolution is later than the [illegible] by law, and particularly as prescribed by Section 2870 [illegible] North Carolina; and

WHEREAS, The Board of Financial Control of Buncombe County and the Local Government Commission of North Carolina has consented to a change in the maturity [illegible] comply with the laws of the State of North Carolina, and [illegible] maturity of said notes shall be October 10, 1935, and it [illegible] the City Council of the City of Asheville to provide that said notes shall mature on the 10th day of October, 1935 in accordance with law;

May 30, 1935

NOW, THEREFORE, BE IT RESOLVED:

That the resolution of April 13, 1935 of the City Council of the City of Asheville be and the same is hereby amended so as to provide that said tax anticipation warrants shall become payable October 10, 1935, and the said Board of Finance together with the other proper officials of the City of Asheville, be and they are hereby authorized and empowered to issue notes maturing October 10, 1935 and otherwise in accordance with a resolution of April 13, 1935, and any act of any official of the City of Asheville issuing notes in accordance with the resolution of April 13, 1935 but with maturities as of October 10, 1935 be and the same is hereby ratified and confirmed.

I move the adoption of the foregoing resolution.

Eugene Carland
COUNCILMAN

SECONDED BY: Jacob Weaver
COUNCILMAN

Read, approved and ordered, this 30st day of May, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
ASST CORPORATION COUNSEL

Resolution authorizing the Mayor to execute a deed to Josephine Hemphill for certain property on Haywood Road, East Asheville, as released was on motion of Councilman Brown seconded by Councilman Shuford unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEED TO JOSEPHINE HEMPHILL FOR CERTAIN PROPERTY ON HAYWOOD ROAD, EAST ASHEVILLE, AS RELEASED.

WHEREAS, the City of Asheville purchased a certain property from the L. B. Chapman estate through Mark Fitzpatrick, commissioner of the estate of L. B. Chapman, and

WHEREAS, this property was purchased for the purpose of opening and [illegible] widening and relocating said above mentioned roads and

WHEREAS, it was understood and agreed at the time of the transaction that the property not used was to be deeded by the City to Josephine Hemphill, the owner of the adjoining lot, for a consideration of [illegible] per acre in the [illegible] and location of [illegible]

Mark Fitzpatrick, administrator of the estate of L. B. Chapman, has deeded to the [illegible] property [illegible]

NOW, THEREFORE, BE IT RESOLVED BY THE [illegible] OF ASHEVILLE:

That the [illegible] hereby authorized and directed to execute and deliver deeding to Josephine Hemphill the remainder of the property, said remainder being set out in the description in said deed, and said real estate description are made a part of this resolution.

I move the adoption of the foregoing resolution, this 30th day of May, 1935

Holmes Rawson
COUNCILMAN

SECONDED BY: Robert E. Stuart
COUNCILMAN

Read, approved and ordered, this 30th day of May, 1935

R. M. Wells
MAYOR

E. G. Thompson
City Clerk

APPROVED AS TO FORM:
Philip C. Cocke Jr.
ASST. CORPORATION COUNSEL

Councilman Vance that Resolution authorizing
[illegible] owned by the City of Asheville by tax
[illegible] motion was voted on and the resolution adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY
ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on
[illegible] land were sold by the City of Asheville, said
land being acquired by the City of Asheville by tax foreclosure suit
for [illegible] on the [illegible] day of [illegible] 1932, and

WHEREAS, notice of said sale appeared once a week for four successive
weeks in the Asheville Times newspaper, after which the sale was conducted pub-
licly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	BID IN BY
[illegible]	[illegible]	[illegible]	-	-	R. E. Shuford

WHEREAS, it appears that the above property was not bid in at the sale by
the listed owner, but it also appears that the tax department of the City of Ash-
eville mailed said listed owner by registered letter, receipt of which was to be
[illegible] listed owner and returned by the post office department to the tax
[illegible] Asheville, said registered letter notifying the listed
owner that the public sale was conducted on the above date and that the property
was bid in as shown above, and requesting the listed owner to appear in the office
of the tax collector and file any objection to said sale; and

WHEREAS, said registered letter was mailed to the listed owner on April 15, 1935, and
has been returned by the post office department to the tax department of the
City of Asheville marked "Unclaimed", "Unable to locate"; and

WHEREAS, the period of thirty days has now expired and the said listed owner
has not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the above
property is properly listed for taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and
empowered to execute a quit-claim deed to the property listed above, said deed to be
made to said R. E. Shuford, who was the highest bidder at said sale as set out above,
which deed is to be turned over to the Tax Collector of the City of Asheville who will
deliver the same to the bidder upon payment of the 1932 taxes, together with the cost of
advertising, which amount is set forth in the deed, and the listing of the property for taxes for the years in which the title was vested in the City of Asheville.

I move the adoption of the foregoing resolution, this 30th day of May, 1935.

Eugene Copeland
COUNCILMAN

SECONDED BY: J C. Vance
COUNCILMAN

Read, approved and adopted this 30th day of May, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

[illegible]
ASST. CORPORATION COUNSEL.

[illegible] IN [illegible] : (AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.)

On motion of Councilman Bryson, seconded by Councilman Weaver, Resolution authorizing the Mayor to execute quit-claim deed to former owner of property acquired by the City of Asheville by tax foreclosure suit was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT CLAIM DEED TO FORMER OWNER OF PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on the 28th day of February, 1935, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the year 1932, and

WHEREAS, notice of said sale appeared once a week for four successive weeks in The Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	REMARKS
1819	Anne Gullick	152	-	-	Bid in by owner

WHEREAS, it appears that the above property was bid in at the sale by the listed owner, who is desirous of obtaining deed from the City of Asheville; and

WHEREAS, it appears that all taxes to date have been paid by said Anne Gullick.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute quit-claim deed to the property listed above, said deed to be made as set out above to said owner, who was the highest bidder at said sale, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the 1928 taxes, together with cost of advertising, which amount is set forth in the deed

I move the adoption of the foregoing resolution.

Jacob F. Weaver
COUNCILMAN

SECONDED BY: J. C. Vance
COUNCILMAN

Read, approved and adopted this 30th day of May, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke Jr.
CORPORATION COUNSEL

[illegible]-Traffic Lights

Mr. Burdette, City Manager, reporting on request for a traffic light at the intersection of Merrimon Avenue and Hillside Street, stated in his opinion a traffic light at this location is unnecessary and recommended this light not be installed, but should he find a need later for such a light it will be reconsidered.

Councilman Bryson moved, seconded by Councilman Carland that the report be accepted and adopted. This motion carried.

Mr. Burdette reported that after investigation of the request that Pine Tree Road in the vicinity of Beaver Lake be accepted by the city, he recommended that the City not take over this street as it has never been entirely completed.

A motion of Councilman Bryson, seconded by Councilman Carland that the Council concur in the recommendation of the City Manager carried unanimously.

Councilman Carland, for Mr. Burdette, reported investigation had been made regarding the request of the Kiwanis Club that a sanitary sewer line be extended from the site of the proposed swimming pool to Hominy Creek; that application has been made to the ERA for the necessary funds to install the pipe, and has been approved at Raleigh. He recommended that with the understanding that material will cost the city only $969.00, this sewer line be approved.

Councilman Bryson moved, seconded by Councilman Carland, the acceptance and adoption of the report of the City Manager. Motion carried.

Mr. Burdette reported no report had been received from the Carolina Power & Light Company regarding a conference between the Central Labor Union regarding the employment of men who formerly were employed as car drivers.

Councilman Carland, seconded by Councilman Bryson, Mr. George H. Weiss and Mrs. H. A. Corkey were unanimously appointed members of the Library [illegible]

City Clerk

Thursday, June 6, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, Jr., Robert E. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager P. M. Burdette and Corporation Counsel, R. R. Williams. The minutes of the previous meeting were read and approved.

[illegible] Power Line

A petition from resident on Merrimon Avenue requesting the City Manager and City Council to give relief from reckless driving and unnecessary noises caused by motor vehicles was presented, and on motion of Councilman Carland, unanimously ordered referred to the City Manager to confer with the authorities that regulate speed to the end that it be abated.

[illegible] Asheville Public Service
M. B. Hall

The complaint of M. B. Hall, 1368 Haywood Road, that the West Asheville public service automobiles were creating a nuisance by parking in front of his home was on motion of Councilman Divelbiss referred to the City Manager to attempt to work out some thing satisfactory to all parties concerned.

Carolina Power & Light [illegible]

Mr. Burdette reported that the Vice-President of the Carolina Power & Light Company has assued the City that he is investigating the petition of the Central Labor Union in regard to employment of former driver of street cars and will submit a report at the next meeting.

Electrical Examination [illegible]

Mr. Burdette reported in accordance with the City Electrical Ordinance an examination board composed ot three members, an Electrical Contractor, Journeyman Electrician and the City Electrical Inspector should be appointed, and recommended the appointment of this Board as follows: Sol Haiman, Electrical Contractor, G. M. Pressley, Journeyman Electrician and Dewey Campbell, City Electrical Inspector.

Councilman Vance moved, seconded by Councilman Weaver, the adoption of the report and the City Manager. This motion carried unanimously.

[illegible] Property [illegible]
[illegible]

A resolution providing for County Debt Advisory Committee and Sub-committe of the County Debt Advisory Committee to act for the City of Asheville was on motion of Councilman J. E. Divelbiss Jr, seconded by Councilman J. C. Vance, unanimously adopted.

RESOLUTION PROVIDING FOR COUNTY DEBT ADVISORY COMMITTEE AND SUB-COMMITTEE OF THE COUNTY DEBT ADVISORY COMMITTEE TO ACT FOR THE CITY OF ASHEVILLE.

IT IS HEREBY RESOLVED:

1. That the County Debt Advisory Committee heretofore appointed, composed of W. M. Redwood, D. Hiden Ramsey, Roy F. Ebbs, R. R. Williams, Oscar D. Brown and Wilbur Devendorf, be designated as the Debt Advisory Committee for the City of Asheville, so that said Committee shall act jointly for both the City of Asheville and County of Buncombe.

2. That the members of the Sub-committee appointed by the Board of County Commissioners, namely D. Hiden Ramsey and R. R. Williams, shall act also as a Sub-committee for the City of Asheville.

3. That any and all resolution heretofore passed by the former City Council of Asheville appointing any Debt Advisory Committee or Sub-committee are hereby repealed.

I move the adoption of the foregoing resolution, this 6th day of June, 1935.

J. E.Divelbiss, Jr.
COUNCILMAN

SECONDED BY: J. C. Vance
COUNCILMAN

Read, approved and adopted this 6th day of June, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

CORPORATION COUNSEL.

Ordinance #[illegible] Adopted

It was moved by Councilman Eugene Carland, seconded by Councilman J. C. Vance that an Ordinance establishing a Department of Engineering be adopted. A vote was taken and the ordinance was passed on its first reading, all members of the Council voting "aye".

Councilman Bryson moved, seconded by Councilman Shuford, that the rules be suspended and the ordinance passed on three readings. This motion carried unanimously.

On motion of Councilman Divelbiss, seconded by Councilman Weaver the ordinance was unanimously passed on its second reading.

A motion of Councilman Shuford, seconded by Councilman Bryson that the ordinance be passed on its third and final reading carried unanimously and the ordinance was declared adopted.

ORDINANCE #227

AN ORDINANCE ESTABLISHING A DEPARTMENT OF ENGINEERING

WHEREAS, the City Council has been advised by the City Manager that a Department of Engineering is necessary for the proper functioning of the city's business; and

WHEREAS, under Section 26 of the charter of the City of Asheville the Council by a majority vote may establish any new department; and

WHEREAS, it is the desire of this Council to have a department called the Department of Engineering;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That a Department of Engineering be and is hereby created for the City of Asheville.

I move the adoption of the foregoing ordinance, this 6th day of June, 1935.

Eugene Carland
COUNCILMAN

SECONDED BY: J. C. Vance
COUNCILMAN

Read, approv ed and adopted, this 6th day of June, 1935, to become effective the 22nd day of June, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
R. R. Williams
CORPORATION COUNSEL.

Councilman Eugene Carland moved, seconded by Councilman Jacob F. Weaver that An ordinance establishing a Department of Motor Transport be adopted. This motion was put to a vote and all member of the Council voting in the affirmative the ordinance was passed on its first reading.

A motion to suspend the rules and pass the ordinance on all three reading was offered by Councilman Bryson, seconded by Councilman Shuford,voted on and unanimously carried.

On motion of Councilman Divelbiss, seconded by Councilman Vance the ordinance was then offered on its second reading, voted on and unanimously passed on its second reading.

Councilman Shuford moved the adoption of the ordinance on its third and final reading, Councilman Weaver seconded this motion, which was voted on and carried unanimously the ordinance declared adopted.

ORDINANCE #228

AN ORDINANCE ESTABLISHING A DEPARTMENT OF MOTOR TRANSPORT

WHEREAS, by ordinance of the City Council of the City of Asheville of 1933-35 the Department of Motor Transport was abolished; and

WHEREAS, this Council is of the opinion that it is for the best interests of the City of Asheville to have a Department of Motor Transport; and

WHEREAS, under Section 26 of the charter of the City of Asheville the Council by a majority vote may establish any new department;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That a Department of Motor Transport be and is hereby created for the City of Asheville.

I move the adoption of the foregoing ordinance, this 6th day of June, 1935.

Eugene Carland
COUNCILMAN

SECONDED BY: Jacob F. Weaver
COUNCILMAN

Read, approved and adopted, this 6th day of June, 1935, to become effective the 22nd day of June, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
R. R. Williams
CORPORATION COUNSEL.

JOSEPH W. LITTLE- ATTORNEY'S FEES

A bill was presented from Joseph W. Little, Attorney, in the amount of $250.00 for services rendered in defending Chief of Police, W. J. Everett in three suits brought as a result of a raid on the transcient relief center.

Councilman Bryson moved, seconded by Councilman Divelbiss that this matter be referred to the City Manager to ascertain the facts and report to the Council at a future meeting. This motion carried.

On motion, adjourned.

R. M. Wells
Mayor

E. G. Thompson
City Clerk

Thursday, June 13, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, Jr., Robert E. Shuford, J. C. Vance and Robert M. Wells, City Manager, P. M. Burdette and Corporation Counsel, R. R. Williams. The minutes of the previous meeting were read and approved.

MOTOR VEHICLE JUNK YARDS

Mr. Harry L. Grimshawe appeared before the Council and complained of unsightly motor vehicle junk yards in the city and request that an ordinance be passed prohibiting junk yards unless concealed from public view.

A motion of Councilman Divelbiss, seconded by Councilman Vance that this matter be referred to the Corporation Counsel and the City Manager for investigation from a health standpoint and legal standpoint, carried unanimously.

BUS SERVICE OVER SAND HILL ROAD

A petition signed by residents of West Asheville requesting extension of bus service from Haywood Road where the same intersects with the Sand Hill Road, to and over the Sand Hill Road to the Golf Links of the Asheville School for boys was presented and on motion of Councilman Shuford, seconded by Councilman Carland, unanimously referred to the City Manager for a conference with officials of the Carolina Power & Light Company.

WEST ASHEVILLE TAXI-CAB PARKING

Mr. Burdette reporting on investigation of complaint of nuisance caused by taxi-cabs parking at the end of the West Asheville line, stated he had taken the matter up with the parties involved and agreement reached satisfactory to both sides.

MERRIMON AVENUE RECKLESS DRIVING AND UNNECESSARY NOISE

City Manager Burdette reported that a careful check had been made of the speeding and unnecessary noises on Merrimon Avenue, a few arrests had been made and the marking at the dangerous points chenged, which has greatly reduced speed at these points. Reports have been received that indicate that conditions are now satisfactory.

June 13, 1935

Mr. Burdette reporting with reference to petition presented from the Central Labor Union regarding employment of men formerly employed by the Carolina Power & Light Company, read a letter from C. S. Walters, Vice-President, in which Mr. Walters stated that the contract between the City of Asheville and the Carolina Power & Light Company for the substitution of motor bus transportation for street cars is the only agreement entered into relative to the employment of street car operators in bus operation and this agreement has been carried out in every respect.

A motion of Councilman Vance, seconded by Councilman Divelbiss that the City Manager extend his services in an unofficial capacity in the benefit of all parties concerned regarding the employment of former street car operators, carried unanimously.

Mr. Joseph L. Auten filed notice of claim for legal services rendered on behalf of the City of Asheville and the individual councilmen and the City Manager of the City of Asheville in that certain action in the District Court of the United States for the Western District of North Carolina entitled HENRY W. GEORGE et als, vs. WICKES WAMBOLDT et als, also notice of claim for legal services rendered on behalf of City of Asheville in action entitled W. C. MORELAND V. WICKES WAMBOLDT et als, which were ordered referred to the Corporation Counsel.

A motion that the City Manager make an investigation of the practicability of establishing a clearing house for local labor and make report to the Council carried.

On motion, adjourned.

Mayor

City Clerk

Thursday, June 20, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette and Corporation Counsel, R. R. Williams. The minutes of the previous meeting were read and approved.

A communication from Mr. R. H. Latham, Superintendent of City Schools, enclosing resolution adopted by the City School Board requesting the City Council to call an election to supplement school funds in the Asheville administrative district, was presented and referred to the Corporation Counsel. Mr. Williams reported the Council had until July 15th for action on this matter.

A petition was submitted by Mr. E. E. Eller, requesting the City Council to zone the City into four zones; northeast zone, northwest zone, southeast zone and southwest zone and to change the names of certain street, which was on motion of Councilman Vance referred to the City Manager and a committee composed of Councilman Vance, Chairman, and Councilman Carland for investigation and report.

Mr. Burdette reported that is an ordinance in force regulating junk yards in the city and if this ordinance does not effect the junk yards complained of he would make a recommendation at the next meeting.

Mr. Burdette reported he had conferred with Mr. Walters of the Carolina Power & Light Company regarding the petition from residents of West Asheville with regard to extension of bus service on Haywood Road over Sand Hill Road and would report later if some plan can be worked out to give this service.

A resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit (M. B. Haynes, Listed Owner) was on motion of Councilman Jacob F. Weaver, seconded by Councilman J. C. Vance, unanimously adopted.

June 20, 1935

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on May 13, 1935, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the year 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in the Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	BID IN BY
6900	M. B. Haynes	179	9	6	W. Granville Taylor

WHEREAS, it appears that the above property qas not bid in at the sale by the listed owner, but it also appears that the t x department of the City of Asheville notified said listed owner by registered letter, said registered letter notifying the lister owner that the public sale was conducted on the above date and that the property was bid in as shown above, and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and

WHEREAS, the required thirty days have expired and the said listed owner has not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that all taxes on said property have been paid to date;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on May 13, 1935, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the costs incurred in making the sale and the proper listing of said property for taxes.

I move the adoption of the foregoing resolution.

Jacob F. Weaver
COUNCILMAN

SECONDED BY: J. C. Vance
COUNCILMAN

Read, approved and adopted, this the 20th day of June, 1935

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke Jr.
ASST. CORPORATION COUNSEL

ORDINANCE #629-REVENUE [illegible]-FIRST READING

An ordinance levying, assessing, imposing, and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1935 and ending May 31, 1936 was offered.

Councilman Bryson moved, seconded by Councilman Carland that the reading of the ordinance be dispensed with. This motion on being put to a vote carried unanimously, and a motion was offered by Councilman Carland, seconded by Councilman Weaver that the ordinance be passed on its first reading. A roll call was taken, all members of the Council present voting in the affirmative, the ordinance was delcared passed on its first reading.

RECESS

A motion of Councilman Carland, seconded by Councilman Bryson, that this meeting recess until 12 o'clock noon, tomorrow, June 21st, carried unanimously.

Mayor

City Clerk

Friday, June 21, 1935- 12 o'clock Noon.

The City Council reconvened in recess meeting; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, Jacob F. Weaver, and R. M. Wells.

Councilman Carland made a motion, which was seconded by Councilman Bryson voted on and carried that the meeting adjourn.

Mayor

City Clerk

Thursday, June 28, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. C. Divelbiss, Jr., Robert E. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette, and Corporation Counsel, R. R. Williams, and Assistant Corporation Counsel, Philip C. Cocke, Jr. The minutes of the previous meeting were read and approved.

On motion of Councilman Weaver, seconded by Councilman Bryson, Mr. Eugene Taylor was unanimously elected Assistant Police Court Judge for two days during the absence from the city of the Judge and Assistant Judge of the Police Court. Mayor Wells administered the oath of office to Mr. Taylor.

Councilman Vance, Chairman of the Committee appointed to investigate zoning city and renaming certain streets, reported the committee is making progress and expects to make report at the next meeting.

A motion of Councilman Carland, seconded by Councilman Divelbiss, that the City Manager be authorized to request the Board of Financial Control of Buncombe County to approve a temporary operating budget of $50,000.00 for the month of July, 1935, carried unanimously, all members of the Council voting in the affirmative.

A resolution authorizing the City Manager to purchase three new trucks for the City of Asheville, and pay for same out of the contingent fund was on motion of Councilman J. E. Divelbiss, Jr., seconded by Councilman R. E. Shuford, unanimously adopted.

RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE THREE NEW TRUCKS FOR THE CITY OF ASHEVILLE, AND PAY FOR SAME OUT OF THE CONTINGENT FUND.

WHEREAS, the City Manager informs the Council of the City of Asheville that the City is in need of three new truckes; and

WHEREAS, the City Manager informs the City Council that there is now in the contingent fund of the City enough money to purchase trucks;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That P. M. Burdette, City Manager, be and he is hereby authorized to purchase the above mentioned trucks, after advertisement according to law, and to pay for same out of the contingent fund.

I move the adoption of the foregoing resolution,

J. E. Divelbiss, Jr.
COUNCILMAN

SECONDED BY : R. E. Shuford
COUNCILMAN

Read, approved and adopted, this 27th day of June, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
ASST. CORPORATION COUNSEL.

June 28, 1935

RESOLUTION DIRECTING BANG[illegible]

On motion of Councilman Eugene Carland, seconded by Councilman J. C. Vance, Resolution directing Dr. J. G. Sallade to make the Bangs abortion test on cows in Buncombe County was unanimously adopted.

RESOLUTION DIRECTING DR. J. G. SALLADE TO MAKE THE BANGS ABORTION TEST ON COWS IN BUNCOMBE COUNTY.

WHEREAS, the General Assembly of North Carolina on May 2, 1935 passed a bill, namely Senate Bill 542 entitled "AN ACT TO REQUIRE TESTING FOR CONTAGIOUS ABORTION OF CATTLE IN BUNCOMBE COUNTY"; and

WHEREAS, the above mentioned bill gives the governing bodies of the City of Asheville and County of Buncombe authority to appoint a veterinarian to give the above mentioned tests; and

WHEREAS, the necessary expenses of said veterinarian are to be prorated between the City of Asheville and County of Buncombe;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That Dr. J. G. Sallade be and he is hereby appointed to make what is known as the bangs abortion test on cows pursuant to the provisions of Senate Bill 542 passed by the General Assembly of North Carolina on May 2, 1935.

I move the adoption of the foregoing resolution, this 27th day of June, 1935.

Eugene Carland
COUNCILMAN

SECONDED BY: J. C. Vance
COUNCILMAN

Read, approved and adopted, this 27th day of June, 1935.

Robt M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
ASST. CORPORATION COUNSEL.

ASSISTANT CORPORATI[illegible]

A motion of Councilman Shuford, seconded by Councilman Vance, that the salary of Philip C. Cocke, Jr., Assistant Corporation Counsel be $[illegible] per month, carried unanimously.

ORDINANCE #229- SECO[illegible]

An ordinance levying, assessing, imposing, and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1935, and ending May 31, 1936 was offered on its second reading.

Councilman Divelbiss offered an amendment, which was seconded by Councilman Vance that the ordinance be amended under Coal and Coke Dealers, sub-section (b) be striken out and the following inserted in lieu thereof: (b) RETAIL; Every person, firm or corporation either as agent or principal, engaged in and conducting the business of selling or delivering coal or coke at retail within the corporate limits of the City of Asheville, shall pay per annum, $75.00

PROVIDED, however, every person, firm, or corporation having only sub-stations at which one ton or less of coal is kept on hand at any one time, shall pay a license tax of, per annum $10.00 NOT PRORATED.

A vote was taken and the amendment was unanimously adopted.

The ordinance as amendment was then offered on its second reading, a vote taken all members of the Council voting in the affirmative, the ordinance was declared passed on its second reading.

MEETING JULY 3, 1935

A motion of Councilman Bryson, seconded by Councilman Carland, that the Council meet next week on Wednesday, at 4:30 instead of Thursday, July 4th, carried unanimously.

On motion, adjourned.

Mayor

City Clerk

Wednesday, July 3, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss Jr., Robert E. Shuford, J. C. Vance and R. M. Wells, City Manager P. M. Burdette and Assistant Corporation Counsel, Philip C. Cocke Jr. The minutes of the previous meeting were read and approved.

City Manager Burdette reported the Board of Financial Control of Buncombe County had approved the temporary budget of $50,000.00 for the month of July 1935.

A communication from Assistant Corporation Counsel, Philip C. Cocke,Jr. was read in which he reported receipt of a letter from the Hon. A. A. G. Seawell, Attorney General of the State of North Carolina in which he advised the City Commissioners have no authority to act in the matter of calling a special election for the school tax supplement within the meaning of the School Machinery Act.

A motion of Councilman Vance, seconded by Councilman Bryson that the matter be referred to the City School Board to refer to the proper administrative unit, together with a copy of the Attorney General's opinion, carried unanimously.

2 July 1935
SUBJECT: School Machinery Act;
election for supplement.

Hon. R. R. Williams,
Corporation Counsel
Asheville, N. C.

Dear Mr. Williams:

By way of apology for not answering your letter of June 27 immediately, I will say that Mr. Erwin, State Superintendent of Public Instruction, has been for sometime collecting inquiries and is attempting a thorough explanation of doubtful matters pertaining to the School Machinery Act of 1935. That letter has not ye been sent out and I, therefore, answer your question directly.

The School Machinery Act of 1933, as you have noted in your letter, abolished all school districts whatsoever, including local tax districts, special tax districts, and special charter districts,-except that they were retained merely for the purpose of continuing the debt service and the collection of taxes in those districts. New types of administrative units were adopted: The City Administrative Unit and the County Administrative Unit. The School Machinery Act of 1933 provided, as does the School Machinery Act of 1935, that elections might be held in such units upon the question of a special tax to supplement the State appropriation to several objects stated in the Act,-including extension of term. The School Machinery Act of 1933 is very full of confusion, and the School Machinery Act of 1935 did not greatly clarify this condition. This Department has ruled heretofore, however, that where the City Administrative Unit was not coincident with the city boundaries, application for an election upon the question of special tax in such City Administrative Unit must be addressed to the County Commissioners and not to the City Commissioners.

Within the meaning of the School Machinery Act, therefore, and with regard to the authority of such election, I beg to advise you that "the tax levying authorities" meant by the statute must necessarily be the Board of County Commissioners.

I very much regret the delay in ansqering your letter, but, as you see from this, the City Board, in my opinion, has no authority to act. Perhaps the delay has not caused you inconvenience.

With kindest personal regards and best wishes, I am

Yours very truly,
A. A. F. Seawell
Attorney General

S:B

On motion of Councilman Bryson, seconded by Councilman Vance, the City Manager was authorized to proceed with painting and re-painting of curb signs for naming streets.

Ordinance #229- entitled An ordinance levying, assessing, imposing, and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1935 and ending May 31, 1936 was offered for passage on its third and final reading.

A vote was taken as follows: Councilmen Bryson, Carland, Divelbiss, Shuford, Vance and Wells voting "aye" the ordinance was declared adopted to bevome effectvie the 13th day of July, 1935.

ORDINANCE #229

AN ORDINANCE LEVYING, ASSESSING, IMPOSING, AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JUNE 1, 1935, AND ENDING MAY 31, 1936.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1.

That the raise funds for general municipal purposes, the follewing license taxes hereinafter specified are hereby levied for the privilege of carrying on the businesses, trades, professions, callings, occupations, or doing the act named, within the corporate limits of the City of Asheville, from the first day of June, 1935, to the thirty-first day of May, 1936, unless for some other time or period herein specified, and all such taxes shall be due and payable in advance at the office of the Director of Finance. The payment of any particular tax herein imposed shall not relieve the party paying same from liability for any other tax specifically imposed for any other business canducted by such person.

Section 2.

That all persons, before engaging in any business, trade, profession, calling, occupation, or doing any act on which a license tax is imposed by this ordinance, shall, except as hereinafter provided, apply for and procure in advance, from the Director of Finance or someone designated by him, forlicense, and upon the payment of the license tax herein imposed a license shall be issued to said applicant. Such license must be posted conspicuously in theplace of business livensed, and if the licensee has no regular place of business, the license must be kept where it may be inspected at all times by the proper city officials. No license shall be transferable or assignable except by consent of the City Manager.

Section 3.

(a) That any person, firm, or corporation, desiring to engage in any business, trade, or vocation, or do anything hereinafter mentioned in this paragraph, may be required to appear in person before the Director of Finance for a license, stating the place at which it is proposed to conduct the business, the name of the owner of the business, or, if the owner be a firm, the names of all members of such firm, or, if the owner be a corporation, the names of the officers, including the manager. And the Director of Finance shall also have the right to require the owner, proprietor, manager, or otherperson interested in or connected with such business, to give evidence, upon oath, touching the manner in which such business has been or is to be conducted, as well as any other facts which the Director of Finance may deem necessary. This section shall apply to the following:

1. Owners and Drivers of For Hire Vehicles and Public Conveyances.
2. Keepers of Billiard, Pocket Billiard, or Bagatelle Tables.
3. Bowling Alleys, or Alleys of like kind.
4. Shooting Galleries.
5. Cane Boards, Jingle Boards, or Knife Racks.
6. Penny Arcades.
7. Merry-Go-Rounds, Ferris Wheels, Switchbacks, or Roller Coasters.
8. Any kind of Table, Stand, Place, or Game, kept in a house or room used or connected with a hotel or restaurant.
9. Carnivals, Theatres, Motion Picture Shows, Vaudeville Shows, Dance Halls, Roof Gardens, or Menageries.
10. Phrenologists.
11. Lunch Counters or Restaurants.
12. Hotels, Lodging Houses, or Boarding Houses.
13. Soft Drinks.
14. Junk Dealers.
15. Pressing Clubs.
16. Pawnbrokers.
17. Second-hand Dealers.
18. Gasoline or Oil Filling Pipes, Service Tanks, or Pumps.

(b) A license may be refused for any business enumerated in the preceding sub-section unless the City Manager shall be satisfied that the applicant, or the proposed manager, is a person of good moral character, and fit and proper person to conduct such business, and unless he shall also be satisfied that the place proposed is a suitable place for the conduct of such business.

(c) That billiard rooms, pool rooms, bowling alleys, bagatelle tables, or rooms where games or tables of like kind are operated, and also restaurants, cafes, lunch counters or places where soft drinks are sold, shall be kept clear of screens or sight obstructions of any kind.

Section 4.

That before license shall be issued for any of thefollowing businesses, the applicant shall execute a satisfactory bond, payable to the City, in theamount hereinafter named, conditioned for the faithful observance by such licensee, his or its servants, agents or employes, of all laws and ordinances now in force or hereinafter enacted, relating to such business, and further conditioned to save the City harmless from damage arising from the negligence of such licensee or agents, servants, or employes thereof, and otherwise as the City Manager may determine:

1. Pawnbrokers	$1,000.00
2. Junk Dealers	1,000.00
3. Electrical Contractors	1,000.00
4. Electric Sign Contractors and Hangers	1,000.00
5. Plumbing Contractors	500.00
6. Sidewalk or Paving Contractors doing any work on sidewalks or streets costing not over $300.00	1,000.00
Doing such work costing over $300.00	100.00
7. House Movers	1,000.00
8. Taxicabs	500.00
	500.00

Section 5.

That whenever the word "person" is used in this ordinance, the same shall be construed to include "firms", "companies", "corporations", and "associations".

Section 6.

Where the amount to be paid for license depends upon the amount of gross sales or receipts, or other facts to be ascertained, it shall be the duty of persons applying for license to render to the Director of Finance a sworn statement of such gross sales or receipts during the preceding months, quarter, or year, as the case may be, and such other and further proof as the Director of Finance may require; or, if the amount of license to be paid is determined by other facts, then a sworn statement as to such facts, and such other and further proof as the Director of Finance may require, shall be rendered said Director of Finance; and in either case the Director of Finance shall not be required to receipt for the money or issue any license until satisfactory proofs are furnished. In case the business for which the license is required is commenced after June 1, 1935, and the tax on such business is based upon gross sales or receipts or facts to be ascertained the license shall be assessed upon the probable gross sales or receipts during a term of one year; or if the amount of tax to be paid is determined by other facts to be ascertained then a sworn statement as to such facts shall be made, and the license based thereon. Provided, however, that the Director of Finance shall have the right at any time during the period covered by any license to require of such licensee additional sworn statement as to the sale and receipts or other determining facts of such business, and an additional license tax shall be paid in accordance therewith.

Section 7.

When any business is begun after June 1, 1935, the tax in such case may be reduced in proportion to the number of full quarters that have elapsed since June 1, 1935, unless otherwise provided in the section fixing the tax. Provided, however, that no license shall be issued for less than one ($1.00) dollar.

Section 8.

The adoption of this schedule of license tax shall not abridge the right of the City Council to change, alter, increase, or decrease, any or all of the license taxes hereby levied, or to levy taxes on businesses, trades, or professions not hereby taxed, at any time. And when any increase is made, the license shall be revoked unless such increase tax be paid within thirty (30) days.

Section 9.

Should any section, paragraph, sentence, clause, or phrase, of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall be affected thereby.

Section 10.

A separate license shall be required for each place of business, and every class of business for which a license tax is required by this ordinance.

Section 11.

Any license issued under this ordinance shall be subject to revocation or suspension for a definite or indefinite time by the City Manager, without refund of any part of the tax paid, if the licensee or manager, or person in charge of the business, or employees, shall violate any ordinance or law relative to such business, or be convicted of crime, or if, in the judgment of the City Manager, the licensed does, by reason of its nature or the manner or place in which it is conducted, constitute a nuisance or is a menace to good order or to public health, welfare, safety, or morals. And upon the revocation or suspension of any such license, it shall be unlawful for the person to whom such license is granted to continue to conduct such business. Any person, firm, or corporation, violating this provisions, shall pay a penalty of fifty ($50.00) dollars. Each day such business is conducted after revocation or suspension of license, shall constitute a separate offense.

Section 12.

It shall be the duty of the Director of Finance to see that the Solicitor of the Police Court is furnished with a list of all unpaid license taxes for the fiscal year of 1935-36 on or before September 1, 1935, and it shall be the duty of the Solicitor of the Police Court to issue warrants for all delinquents, and to prosecute as vigorously as necessary and demand that the same be paid or inflict a penalty as provided in this ordinance.

Section 13.

That every person who shall violate any provisions of this ordinance, or engage in any business, trade or vocation, or professions, on which a license tax has been fixed, without having first paid the tax and received a license, shall be liable to a penalty of fifty ($50.00) dollars for each offense, and each day said business shall be carried on shall constitute a separate and distinct offense.

Section 14.

All license taxes imposed by this ordinance shall be due June 1 of each year for which the tax is levied, and shall become payable upon the date that this ordinance shall become effective, and the tax may be paid in quarterly installments, at the request of the taxpayer; provided, however, that no initial quarterly payment shall be less than $10.00; and, provided, further, that in every instance, not less than one-fourth of the total tax may be paid in any one installment. If any installment shall not be paid on or before the first day of the quarter upon which same shall become due, then all unpaid installments shall immediately become due and payable, together with a five (5%) per cent penalty per month upon the entire unpaid balance. All license taxes imposed by this ordinance shall be due and payable in advance, and if any person shall fail to pay any license tax required by this ordinance by September 1, 1935, 5% per month of the amount of such license shall be added to the tax required, and no license shall be granted until the license tax, plus the five (5%) per centum per month thereof, has been paid. The addition of the five (5%) per centum per month on the amount of said license tax shall not exempt the delinquent from the penalties herein prescribed in case of delinquency.

Section 15.

LICENSE SCHEDULE.

"A"

ABATTOIR, OR SLAUGHTER HOUSE.

Per annum..... $

ACCOUNTANTS.

Exempt by State Statutes.

ADVERTISING.

Not specifically taxed.

Every person, firm, or corporation, engaged in the business of soliciting or contracting for advertising, or engaged in the business of advertising, and not specifically classified and taxed by this article, where tax is not prohibited by State Statutes, shall pay a license tax of, per annum..... 15.00

Provided, that this tax shall not apply to newspapers or periodicals published in the City.

ADVERTISING, OUTDOOR--BILLBOARDS.

Every person, firm, or corporation, which is engaged or engages in the business of outdoor advertising by means of sign boards, poster boards, or printed bulletins, and any other outdoor advertising devices, erected upon grounds, walls, or roofs of buildings, shall pay a license tax of, per annum..... 75.00

(a) Every person, firm, or corporation, owning or maintaining sign boards, poster boards, painted bulletins, printed advertisement bulletins, or other outdoor advertisements of any nature, shall have imprinted on the same the name of such person, firm, or corporation in sufficient size to be plainly visible and permanently affixed thereto.

(b) Distribution in the City of Asheville, or sign-tacking, advertising by tacking, posting on poles, trees, buildings, fences, or other structures, except on licensed billboards, PROHIBITED.

(c) Advertising by use of brass bands or music, or by public announcements on the streets of the City, clowning, floats, etc:

Per annum..... 10.00

NOT PRORATED.

ADVERTISING--DISTRIBUTERS OF SAMPLES, PRINTED ADVERTISEMENTS, AND CIRCULARS.

Every person, firm, or corporation, distributing samples, circulars, handbills, or other printed matter from house to house, or person to person, anywhere within the corporate limits of the City of Asheville, shall pay a license tax of, per annum.....
For one distribution, where the annual tax has not been paid..... $ 100.00 / 10.00

PROVIDED, that all distributions of handbills, circulars, or other printer matter, shall be delivered to someone in each residence or business house, or shall be places under the front door of each residence or business house, or between the front door and the screen. Also each person, firm, or corporation, distributing said circulars, handbills, or other printed matter, shall have the name of such person, firm, or corporation, on each handbill, circular, or otherprinted matter, in sufficient size to be plainly visible and permanently affixed thereto; and distribution of handbills, circulars, or other printed matter, otherwise than provided in this provise, is hereby PROHIBITED.

ADVERTISING--PLACERS.

Every person, firm, or corporation, in, or on, whose premises, building, or place of business, placards are placed for advertising purposes, and who makes a charge therefor, shall pay a license tax of, per annum..... 25.00

PROVIDED, that every person engaged in thebusiness of operating street cars and/or busses and placing or allowing to be placed within or on such cars, placards for advertising purposes, and making a charge therefor, shall pay a license tax of, per annum 100.00

ADVERTISING BY USE OF PICTURE MACHINES.

Every person, firm, or corporation, operating a moving picture machine, and selling use of the same for advertising purposes, shall pay an annual license tax as follows:

(a) In each place where the advertisement is run, having a seating capacity of less than three hundred (300)..... 20.00

(b) In each place where the advertisement is run, having a seating capacity of three hundred (300) and less than one thousand (1,000)..... 35.00

(c) In each place where the advertisement is run, having a seating capacity of one thousand (1,000) or over..... 50.00

ADVERTISING BY WAGON OR VEHICLE DRIVEN THROUGH STREETS WITH ADVERTISING SIGNS.

Per annum..... 10.00

NOT PRORATED.

PROVIDED, that no tax shall be collected where persons advertising place signs on their own vehicles, or for advertisement of football or baseball games.

PROVIDED, further, that the provisions of this section shall apply to all itinerants as defined herein who place advertisement signs on their vehicles.

AGENTS NOT SPECIFICALLY TAXED.

Every person engaged in business as an agent, having the agency for the manufacturer, producer, or distributor, and not specifically taxed by some other section of this License Schedule, shall pay a license tax of , per annum..... 25.00

AGRICULTURAL IMPLEMENTS AND MACHINERY.

Every person, firm, or corporation, engaged in the business of selling agricultural implements and machinery, shall pay a license tax of, per annum..... 25.00

AMUSEMENT DEVICES(SEPARATE FROM A CARNIVAL).

See "Riding Devices".

AMUSEMENT PARKS.

Every person, firm, or corporation, engaged in the business of operating a park open to the public as a place of amusement, in which there may be either a bowling alley, trained animal show, penny or nickel machine for exhibiting pictures, moving pisture show, theatrical performance, or similar entertainment, shall pay for the privilege of conducting such amusement park, a license tax as follows:

Municipal license for two (2) months or less.....	200.00
Municipal license for four (4) months.....	400.00
Municipal license for eight (8) months.....	600.00
Municipal license for twelve (12) months.....	800.00

PROVIDED, the payment of the tax shall not authorize the operation of a carnival, circus, or show of any kind that moves from place to place.

ANTIQUE FURNITURE--DEALERS IN.

Per annum.....	25.00
Itinerant, per annum.....	100.00

ANTIQUE SHOPS.

Any person, firm, or corporation, selling or distributing what is commonly termed antiques, shall pay a license tax of, per annum..... $ 25.00

ARCADES, PENNY PARLORS, PEEP SHOWS.

Each, per annum..... 200.00

NOT PRORATED.

ARCHITECTS.

Exempt by State Statutes.

ART GOODS, MANUFACTURERS OR DEALERS IN.

Resident retail dealers.....	10.00
Itinerant.....	100.00

ASPHALT OR ASPHALT SUPPLIES ONLY.

Dealers, sellers, or distributors in, each, per annum..... 100.00

PROVIDED, when building material tax is paid, no additional tax shall becollected under this section.

ATHLETIC SUPPLIES AND SPROTING GOODS.

Every person, firm or corporation, selling or dsitributing athletic supplies or sporting goods shall pay a license tax of, per annum..... 25.00

PROVIDED, every person, firm or corporation selling athletic supplies and sporting goods, where the gross sales are less than $3,000 annually,shall pay a license tax of, per annum..... 10.00

ATTORNEYS.

Exempt by State Statutes.

AUCTIONEERS.

(a) Every person, firm or corporation, that conducts auction sales of anything other than real estate, shall pay an annual license tax of, as follows:

Residents, each, per year.....	10.00
Itinerants, each per day	5.00
Itinerants, each, per week.....	10.00

(b) Every person, firm, or corporation, that conducts auction sales of real estate for profit, shall pay a license tax of:

Residents, each, per year.....	50.00
Itinerants, each, per year.....	100.00
Itinerants, each, per day.....	50.00

NOT PRORATED.

AUTOMOBILE, MOTORCYCLE AND MOTOR VEHICLE, DEALERS; AND SERVICE STATIONS.

(a) Automobile Service Stations: Every person, firm, or corporation, engaged in the business of servicing, storing, painting, or upholstering of motor vehicles, trailers, or semi-trailers, or engaged in the business of retailing, selling, and/or delivering of any tires, tools, batteries, electrical equipment, automotive accessories or supplies, including radios designed for excluaive use in automobiles, motor fuel and/or lubricants, or any such commodities, shall pay for each location where such business is carried on, a license tax of, per annum..... 12.50

(b) Automobile Service Stations, on Sidewalks or Streets: Every person, firm, or corporation, engaged in the business of operating any gasoline or oil pump located on any street or sidewalk, whether such pump is used in connection with any other business or not, and whether such pump is regularly used for the sale of gasoline, or oil, or not, shall pay therefor an annual license tax of, per annum..... 50.00

PROVIDED, all such tanks must be installed under the direct supervision and according to the instructions of the Director of Public Works. A permit to install same must be obtained from the City Manager. The Council reserves the right, however, to prohibit the installation of such tanks on public property within thecongested district of said municipality. This tax is for the right to use the sidewalk and is in addition to taxes levied by this ordinance on Automotive Service Stations.

(c) Automobile Equipment and Supply Dealers at Wholesale: Every person, firm, or corporation, engaged in the business of buying, selling, distributing, exchanging and/or delivering automobile accessories, parts, tires, tools, vatteries, and for other automobile equipment and for other supplies, or any of such commodities at wholesale, shall pay for each location where such business is carried on a license tax for every place of business of, per annum.....

At retail.....	62.50
PROVIDED, where the wholesale tax is paid the retail tax is not collectible on sub-section C.	25.00

...DEVICE, any person, firm, or corporation, engaged in the business enumerated in this section, but not engaged in other lines of business, but selling to retail dealers by use of same form of vehicle, shall pay for a license, on each vehicle carrying on such business, a tax of, per annum..... $ 25.00

(g) Body or Top Builders: Every person, engaged in the business of building bodies or tops for automobiles, trucks, or trailers, including necessary curtains, shall pay therefor a license tax of, per annum..... 12.50

(h) Cutting or Welding Shops: Every person, engaged in the business of manufacture of welding for automobiles, trucks, or trailers, and not building bodies or tops for such automobiles, trucks, or trailers, shall pay therefor a license tax of, per annum 12.50

(i) Motorcycle Dealers: Every person engaged in the business of buying, selling, dealing in, and/or exchanging motorcycles or motorcycle supplies, or any such commodities, shall pay for a license tax of, per annum..... 25.00

(j) Motor Vehicle Dealers: Every person engaged in the business of buying, selling, dealing in, and/or exchanging motor vehicles, trailers, semi-trailers, parts, tools, batteries, electrical equipment, lubricants, and/or automotive supplies, shall pay for each location at which such business is carried on a license tax of, per annum..... 50.00

PROVIDED, that persons, firms, or corporations, dealing in second-hand or used motor vehicles exclusively, shall be liable for only..... 25.00

(k) Automobile Equipment, Used Parts: Every person, firm, or corporation, buying or selling accessories, used parts for automobiles, or repairing automobiles, shall pay a license tax for each business of, per annum..... 12.50

(l) Automobile Finance Companies: Every person, firm, or corporation, engaged in the business of financing, refinancing, or lending money, funds, or credit, upon the purchase or acceptance of automobiles, or other vehicles, and receiving chattel mortgages, assignment of title, or any other form of security for such financing and refinancing, shall pay a license tax of, per annum..... 100.00

AWNINGS AND TENTS.

Every person, firm, or corporation, operating any business of manufacturing, selling, installing, or erecting tents or awnings, shall pay a license tax of:

Per annum..... 50.00
Itinerants, each..... 100.00

NOT PRORATED AS TO ITINERANTS.

PROVIDED, that where stores sell ready-made standard size window awnings only, not more than 4½ inches in width, they shall pay a license tax of, per annum... 15.00

"B"

BAKERY PRODUCTS, CAKES, CRACKERS, AND DOUGHNUTS.

(a) Every person, firm, or corporation, operating a bakery or preparing or manufacturing cakes, crackers, or doughnuts, shall, if selling at retail, pay a license tax of, per annum..... 25.00

(b) Selling bakery products, including bread, crackers, or cakes, and doughnuts, at wholesale, per annum..... 125.00

PROVIDED, that any person, firm, or corporation, selling and delivering bakery products including cakes, crackers, or doughnuts, manufactured outside of the city, shall pay for each vehicle used in delivering such products within the city, a license tax of, per annum..... 75.00

PROVIDED, further, that this tax shall not apply to merchants selling bakery products, cakes, crackers, or doughnuts, in connection with a regular merchandising business; and, provided, further, that it shall be unlawful for any person, firm or corporation, selling or delivering bakery products after the passage of this ordinance to sell or deliver any such products from a vehicle unless such vehicle shall have plainly and visibly painted upon it the name of the person, firm, or corporation, operating same, together with the name of the city where such bakery products are manufactured and to also procure from the Health Officer a "Bakery Delivery Permit", the number of which permit must be on such vehicle.

Doughnuts, machines..... 10.00
Bakery products, small pies at retail, not over 5 cents, per annum.... 10.00

The foregoing shall not be collected from restaurants, on which restaurant tax has been paid.

BALLOONS, NOVELTIES, SOUVENIRS, CURIOS, FLAGS, ETC.

Every individual selling or offering for sale balloons, novelties, souvenirs, curios, flags, needles, sewing equipment, paring knives, cooking utensils, or other instruments, for the preparation of foods, or other classes of merchandise not specifically licensed or taxed herein, or ice cream, soft drinks, lunches, and fruits, shall pay a license tax

Per day..... 7.50
Per week..... 15.00
Per month..... 50.00

PROVIDED, that such tax shall not apply to any merchant selling said articles as part of a regular merchandise business and paying the tax prescribed for merchants; and, provided, that no person shall sell any food products under this section without first obtaining a written permit from the Health Officer.

BANKRUPT OR FIRE STOCK.

Every itinerant salesman or merchant who shall expose for sale either on the street or in a house or store building rented temporarily for that purpose, any goods, wares, or merchandise, bankrupt stock, or fire stock, not being a regular merchant in the city, shall apply for in advance and procure a license for the privilege of transacting such business, and shall pay for such license a tax of, per annum..... 100.00

NOT PRORATED.

PROVIDED, that such tax shall not apply to any receiver or trustee conducting a bankrupt sale under order of Court.

BANKS AND TRUST COMPANIES.

Every person, firm, or corporation, engaged in the business of operating any general banking or trust business, and such other business as is ordinarily conducted in connection with banks and trust companies, shall pay a license tax as follows:

If its capital stock does not exceed $100,000.00, per annum..... 50.00
If its capital stock exceeds $100,000.00, but does not exceed $200,000.00, per annum..... 100.00
If its capital stock exceeds $200,000.00, but does not exceed $300,000.00, per annum..... 150.00
If its capital stock exceeds $300,000.00, but does not exceed $500,000.00, per annum..... 300.00
If its capital stock exceeds $500,000.00, per annum..... 400.00

BANKS-MORRIS PLAN OR INDUSTRIAL.

(a) Every person, firm, or corporation, engaged in the business of operating a Morris Plan or Industrial Bank, shall pay for the privilege of engaging in such business, the following tax:

When the total resources, as of December 31, of the previous year, are less than $250,000.00..... 37.50
$250,000.00 and less than $500,000.00..... 75.00
$500,000.00 and less than $1,000,000.00..... 112.50
$1,000,000.00 and less than $2,000,000.00..... 150.00
$2,000,000.00 and less than $5,000,000.00..... 225.00
$5,000,000.00 and over..... 300.00

(b) Every person, firm, or corporation, engaged in the business of soliciting loans or deposits for Morris Plan or other Industrial Banks, shall pay a license tax of, per annum..... 25.00

Any bank that shall begin business during the current tax year, the tax shall be calculated on the total resources at the beginning of the business.

BARBERS AND/OR BEAUTY COLLEGES.

Per annum..... 25.00

BARBER SHOPS, BEAUTY SHOPS, OR PARLORS.

Every person, firm, or corporation, engaged in the business of conducting a barber shop, beauty shop, or other parlor of like kind, shall pay the following tax:

For each barber chair maintained in barber shop, whether chair is in use or not, per annum..... 2.00

For each operator in beauty shop, parlor, or other shop of like kind in any office, hotel, or other place, per annum..... 5.00
For each barber chair maintained in a beauty shop, per annum..... 5.00
Itinerant Massage Operator, per day..... 5.00

BARBER OR BEAUTY SHOP SUPPLIES.

Every person, firm, or corporation, engaged in the selling of barber or beauty shop supplies, shall pay a license tax of, per annum..... 25.00

BARREL, CRATE, OR BASKET FACTORIES.

Each, per annum..... 25.00

BATH HOUSES.

Every person, firm, or corporation, operating or maintaining a bath or massage establishment, shall pay a license tax of, per annum..... 50.00

Every person, firm, or corporation, operating a bath house in conjunction therewith, per tub or shower, each, per annum..... 5.00

BEAUTY SHOPS OR PARLORS.

See "Barber Shops".

BED MANUFACTURERS.

Each, per annum..... $ 25.00

BEER AND OTHER BEVERAGES.

Regulated by Special City Ordinance.

BICYCLES.

Each dealer or agent selling, supplying, repairing, or renting, per annum 12.50

BILLBOARDS, ADVERTISING BY USE OF.

See "Advertising".

BILLIARDS AND POOL.

Every person, firm, corporation, association, club, or organization, by whatsoever name called, who shall rent, own, run, maintain, or operate, a table or tables on which billiards, pool, or snooker, is played, whether operated by slot or otherwise, shall pay, per annum, for the privilege of operating such billiard, pool, or snooker tables, a license tax for each table, as follows:

Tables measuring not more than 2 feet wide and 4 feet long.....	2.50
Tables measuring not more than 2½ feet wide and 5 feet long.....	5.00
Tables measuring not more than 3 feet wide and 6 feet long.....	7.50
Tables measuring not more than 4 feet wide and 8 feet long.....	18.00
Tables measuring 4½ feet wide and 9 feet long, and larger.....	20.00

PROVIDED, that in the event there should ne kept, maintained, and operated, any table or tables whose measurements either by width or length are in excess of any of the dimensions in the schedule above enumerated, then and in such event such table or tables so kept, maintained, and operated, shall pay a license tax at the rate of the next larger size table classified.

BINDER OF BOOKS.

Including job printing, each, per annum.....	30.00
Not including job printing, each, per annum.....	15.00

BIRDS.

Every person, firm, or corporation, selling live birds, per annum..... 10.00

PROVIDED, that when pet shop license tax has been paid, no bird license shall be collected.

BLANKET AND/OR RUG SHOPS.

Every person, firm or corporation operating a business where the principal tiems are blankets and/or rugs, shall pay license tax of, per annum..... 10.00

BLACKS, CEMENT.

See "Cement Blocks".

BLOWING MACHINES, LIFTING MACHINES, OR ANY EXHIBITION OR PERFORMANCE OF LIKE CHARACTER.

Each, per day..... 50.00

BLUEPRINT SHOPS.

Every person, firm, or corporation, making or selling or distributing blueprints, each, per annum..... 25.00

BOARDING HOUSES AND TOURIST HOMES.

(a) Every person, firm or corporation engaged in the business of operating a tourist home, tourist camp, boarding house, or similar place advertising in any manner for transient patronage, or soliciting such business, shall pay a license for five rooms or less, per annum..... 5.00
For each and every additional room..... 1.00

(b) Every person, firm or corporation engaged in the business of operating a boarding house using no form of advertising or solicitation for transient patronage and having seating capacity of a dining room in excess of sixteen (16) shall pay license tax of, per annum..... 5.00
For each additional seat..... .50

BOATS AND BOAT SUPPLIES.

Every person, firm, or corporation, selling boats and/or boat supplies, and/or equipment for boats, shall pay a license tax of, per annum..... 25.00

BOND MAKERS.

(a) Every person, firm, or corporation, who justifies on any civil bond or makes a bond of any civil nature whatsoever for any other perosn, firm, or corporation, for profit, shall pay a license tax of, per annum..... 50.00

(b) Every person, firm, or corporation, who justifies on any criminal bond or makes an appearance bond for a for a defendant in the Criminal Courts within the City of Asheville, and receives compensation therefor, shall pay a license tax of, per annum $ 50.00

PROVIDED, that in the event any person, firm, or corporation, engages in the business of justifying on or making both civil and criminal bonds for profit, then and in such event, such person, firm, or corporation, shall pay an annual tax of..... 75.00

BOOK AGENTS.

Per annum.....	25.00
Per day.....	5.00

NOT PRORATED.

Each agent shall always carry the license receipt issued to him by the city and exhibit the same when called to do so by anyone whom such agent calls on for the purpose of making a sale or demonstration.

BOOKBINDERS.

See "Binders of Books".

BOOK STORES AND STATIONERS.

Every person, firm, or corporation engaged in the business of selling books and stationery, where fifty (50%) per cent or more of the business is derived from the sale of books and stationery, shall pay a license tax of, per annum..... 25.00

BOOTBLACK STANDS.

Every person, firm, or corporation, operating any shoeshine parlor or other place open to the public for the shining of shoes, shall pay a license tax thereon as follows:

Where the stands, chairs, seats, boxes, or pairs of foot-rests designed for the use of bootblacks in shining shoes, and kept in such parlors or places of business, whether regularly used or not, does not exceed two..... 2.00
Where the number is more than 2 and less than 6..... 4.00
Where thenumber is 6 and less than 10..... 6.00
Where the number is 10 or more..... 10.00

BOTTLING WORKS.

(a) Every person, firm, or corporation, manufacturing, rectifying, bottling, or distributing in bottles, or other closed containers, soda water, Coca-Cola, Mexi-Cola, Ginger Ale, Chero-Cola, Dr. Pepper, grape, and other fruit juices or imitations thereof, carbonated or malted beverages, and like preparations, commonly known as soft drinks, shall pay a special license tax under the following schedule, to-wit:

LOW PRESSURE EQUIPMENT:

Where themachine or the equipment unit used in the manufacture of the above named beverages is a:

36 spouts, or greater capacity, low pressure filler.....	150.00
32 and less than 36 spouts, low pressure filler.....	125.00
24 and less than 32 spouts, low pressure filler.....	112.50
18 and less than 24 spouts, low pressure filler.....	87.50
12 and less than 18 spouts, low pressure filler.....	62.50

HIGH PRESSURE EQUIPMENT:

Where the machine or the equipment unit used in the manufacture of the above named beverages is a:

Royal (8-head); Shields (6-head); Adriance (6-head); or other high pressure equipment having manufacturers' rating capacity of over 60 bottles per minute..... 150.00

Royal (6Ohead); Daleson (6Ohead); or other high pressure equipment having manufacturers' rating capacity of over 50 and less than 60 bottles per minute..... 125.00

Royal (4-head); Adriance (2-head); Shields (2-head); (full automatic); or other high pressure equipment having manufacturers' rating capacity of more than 4 and less than 50 bottles per minute..... 112.50

Dixie (automatic); Shields (2-head hand feed); Adriance (1-head); Calleson (1-head); Senior (high pressure); Junior (high pressure, or Burns' or other high pressure equipment having manufacturers' rating capacity of more than 24 bottles and less than 4[illegible] bottles per minute..... 37.50

Single-Head Shields, Modern Bond (power), Baltimore (semi automatic), and all other machines, or equipment, having manufacturers' rating capacity of less than 24 bottles per minute, and all foot power bottling machines..... 25.00

PROVIDED, that any bottling machine or equipment unit is not herein specifically mentioned shall bear the same tax as a bottling machine or equipment unit of the nearest rated capacity as herein enumerated; provided, that where any person, firm, or corporation, has within his bottling plant or place of manufacture more than one bottling machine or equipment unit, then such person, firm, or corporation, or association, shall pay the tax as herein specified upon every such bottling machine or equipment unit whether in actual operation or not.

(b) Every person, firm, corporation, or association distributing at wholesale, or jobbing, bottled beverages, as enumerated in sub-section (a), shall pay an annual license tax of..... $ 87.50

PROVIDED, however, that where the tax levied under sub-section (a) has been paid on any of the articles, machines, or equipment units enumerated therein, the tax levied under this sub-section shall not apply, nor shall any tax be collected on account of the delivery of the products, beverages, or articles enumerated in sub-section (a) and (b), when a tax has been paid under sub-section (a) or (b).

(c) Mineral, or other waters, selling or delivering in the city, per annum..... 50.00

(d) Itinerant dealers, selling or delivering to retailers, bottled soft drinks or waters, shall pay a license tax of, per month..... 50.00

And, in addition to the above tax, for each vehicle operated in connection with, per vehicle..... 10.00

BOWIE KNIVES.

Any person, firm, or corporation, who shall keep in stock, oroffer for sale, any bowie knives, dirks, daggers, slingshots, loaded canes, or brass, iron or metallic knuckles, shall pay a license tax of , per annum..... 200.00

BOWLING ALLEYS.

Every person, firm, corporation, association, club, or organization, by whatsoever name called, who shall own, rent, maintain or operate a bowling alley or alleys, shall pay on each alley so owned, rented, kept, maintained, or operated, per annum 12.50

BOX FACTORIES.

Per annum..... 25.00

BRANCH AND CHAIN STORES.

See "Chain and Branch Stores".

BRASS BANDS, ADVERTISING BY THEUSE OF.

See "Advertising, Outdoor", Sub-section (c).

BRASS KNUCKLES.

See "Bowie Knives".

BROKER, COTTON.

Every person, firm, or corporation, engaged in the business of buying and/or selling on commission any cotton, grain, provisions or other commodities, either for actual, spot or instant delivery, shall pay a license tax of, per annum..... 50.00

BROKERS, LOAN AGENTS.

See "Loan Agents or Brokers".

BROKERS, LUMBER.

See "Lumber Agents".

BROKERS, MERCHANDISE AND STOCK.

On every commission merchandise broker or dealer engaged in the buying and selling of goods and merchandise on commission and/or brokerage, a license tax shall bepaid of, per annum..... 25.00

BROKERS, PAWN.

On every person, firm, or corporation, engaged in lending money or other things for profit, or on account of specific articles of personal property deposited with the lender in pledge, a license tax of, per annum..... 100.00

Applicants for pawnbrokers' license must apply to the City Manager, in person, for license; and file bond with a company licensed to do such business in the State of North Carolina as surety conditioned as the said Council may determine; which bond must be approved by the Solicitor of the Police Court; provided, every pawnbroker shall make a daily report to the Chief of Police, such report to give an accurate record of each individual article received or deposited as surety, showing name and address of owner, description of article, sufficient for identification, amount advanced for loan; such report to be made in clear, legible hand or on a typewriter. Any person, firm, or corporation, transacting the business of pawnbroker without a license, as provided in this section, or violating any of the provisions of this section, shall be guilty of a misdemeanor, and fined not less than fifty ($50.00) dollars.

BROKERS, STOCK.

Every dealer in stocks, bonds, or other securities, whether engaged in buying or selling on commission, or buying outright, shall pay a license tax of, per annum $ [illegible]

BUILDING & LOAN ASSOCIATIONS.

Exempted from taxation by Section 138.

BUILDING MATERIAL.

(a) Every person, firm or corporation engaged as a dealer in lumber and/or other building materials, glass and paints excepted, shall pay a license tax per annum of..... [illegible]

PROVIDED, where paints and glass are handled with building materials the license shall be..... [illegible]

(b) Building Material Brokers. Every person, firm or corporation, engaged in the brokerage of building materials, shall pay a license tax of, per annum [illegible]

(c) Every person, firm, or corporation, hauling or delivering lumber or building material in the City of Asheville, not having paid the tax in Sub-section (a) and (b), shall pay the following tax:

On each one-ton truck or less..... [illegible]
On each truck over one ton..... [illegible]
On each two-horse wagon..... [illegible]
On each one-horse wagon..... [illegible]

BUTCHER SUPPLIES.

Dealers in butcher supplies shall pay a license tax of, each, per annum [illegible]

BUYING AND SHIPPING OF TELEPHONE POLES, CROSSTIES, LOGS, TAN-BARK, WOOD, OR SIMILAR ARTICLES--OFFICE ONLY.

Each, per annum..... [illegible]

"C"

CABINET OR FURNITURE REPAIR SHOPS.

Per annum..... [illegible]

CAKES AND CRACKERS.

See "Bakery Products".

CAMERAS AND KODAKS.

Every person, firm, or corporation, selling or renting cameras or kodaks, per annum..... [illegible]

CANDY MANUFACTURERING OR CANDY KITCHENS.

Every person, firm, or corporation manufacturing candy or candy confectioneries, each, per annum..... [illegible]

CANDY.

At wholesale, where twenty (20%) per cent of the business done is the selling of candy, per annum..... [illegible]

At wholesale, where less than twenty (20%) per cent of the business done is the selling of candy, per annum..... 10.00

Every person, firm, or corporation selling candy at retail, where gross sales are no less than $500.00 per annum, shall pay a license tax of, per annum..... 2.50

Every person, firm, or corporation selling candy at retail, where gross sales are more than $500.00 per annum, shall pay a license tax of, per annum..... 5.00

On each truck delivering candy or chewing gum or peanut products or other confections, or tobacco products, for concerns which have not paid the wholesale tax herein levied, per annum..... 50.00

CANES, LOADED.

See "Bowie Knives".

CANE RACKS.

Racks for canes or knives, each, per day..... 15.00

CANVASSERS.

Every person, firm, or corporation engaged in the business of canvassing, per annum..... 5.00

NOT PRORATED.

A canvasser shall mean anyone who solicits orders for business, or calls from house to house anywhere within the corporate limits of the City of Asheville.

CAP PISTOLS.

See "Fire Works".

CARBIDE MANUFACTURERS OR DISTRIBUTORS.

Every person, firm, or corporation, engaged in the business of manufacturing or selling or distributing carbide, per annum..... $ 15.00

CARNIVAL COMPANIES.

Every person, firm, or corporation engaged in the business of a carnival company or show of like kind, moving pictures, and vaudeville shows, museum and menageries, merry-go-rounds, ferris wheels, riding devices, and other like amusements and enterprises, conducted for profit, under the same general management; or an aggregate of shows, amusements, eating places, riding devices, or any of them operating together on the same lot or contiguous lot, or streets, traveling from place to place, whether owned and actually operated by separate persons, firm, or corporation, or not, filling week-stand engagements, or giving week-stand exhibitions, under canvas, or not, or a part of a week, shall pay for the privilege of engaging in such business or amusements, for each week or part of a week, the following tax:

Consisting of not more than two distinct attractions, per week or part thereof..... 200.00

Consisting of two and not more than five distinct attractions, per week or part thereof..... 300.00

Consisting of more than five distinct attractions, per week or part thereof..... 400.00

PROVIDED, before any carnival company shall give any performance or exhibition, or conduct business within the corporate limits of the City of Asheville, an application in writing shall be made to the City Council, verified by the owner or manager of such carnival company, and giving the following information:

The name of the owner of such carnival company, and in the event such owner is a corporation, the state where chartered, and its office or principal place of business, together with names of the officers of such corporations, or if a partnership, thenames of all the partners; also, the route for a period of three weeks following the playing in the City of Asheville.

Only one carnival will be licensed to play within thecorporate limits of the City during any one month, and in the event of the granting of any license permit, such permit shall authorize only the operation of the exhibition known as "shows", or "rides", and the operation of any gambling games, including "wheels", "stores", or other concessions, are expressly prohibited, and the right is hereby reserved to refuse any and all applications for permits, and in no event will any rebates, reductions from the tax levied, be made for any cause or purpose whatsoever.

A cash deposit of fifty dollars will ve required for each carnival before "setting up" on lot, to defray the expenses of the Sanitary Department for cleaning up the lot used. The actual cost of the cleaning will be charged and a refund will be made in the event of any surplus.

CARPET OR RUG CLEANING.

Per annum..... 25.00

Where license is paid under "cleaning or Pressing Club Establishment" tax not collectible under this section.

CASKETS, COFFINS-DEALERS IN.

Every person, firm, or corporation, engaged in the business of burying, and/or embalming the dead, or in the retail of coffins, caskets, or other funeral supplies, shall pay a license tax of, per annum..... 100.00

PROVIDED, this section shall not apply to a cabinet-maker who is not an undertaker, who makes coffins to order, nor to licensed embalmers.

CEMENT BLOCKS.

Manufacturers of cement blocks, or pipe manufacturers, each per annum 25.00

CEREAL MANUFACTURERS.

Every person, firm, or corporation, manufacturing cereals shall pay a license tax of , per annum..... 25.00

CHAUTAUGUAS AND ENTERTAINMENTS-CHARITABLE.

Per week or part week..... 20.00

All exhibitions or entertainments given for the sole benefit of religious, charitable or educational objects, shall be exempt from taxation.

PROVIDED, that when operas, chautauquas, star courses, or theatrical troupes, are employed, such as usually appear in licensed halls, then the tax shall be the same as that imposed on traveling theatrical companies performing in unlicensed halls.

PROVIDED, further, that no tax shall be charged for any exhibition or entertainment for the sole benefit of religious charitable, or educational objects, and given in halls used at the time exclusively for such objects, nor for exhibitions given at city parks where no charges for admission are made.

CHAIN AND BRANCH STORES.

Every person, firm, or corporation, engaged in thebusiness of operating or maintaining under the same general management, supervision, or ownership, two or more stores or mercantile establishments in the state, where goods, wares and/or merchandise are sold, or offered for sale at retail, shall be deemed a branch or chain store operator. On each and every such store operated, a license tax shall be paid of, per annum..... $ 5.00

"Chain store" further defined. The term "chain store" as used in this section shall include stores operated under separate charters of incorporation, if there is common ownership of a majority of stock in such separately incorporated companies, and/or if there is similarity of name of such separately incorporated companies, and/or if such separately incorporated companies have the benefit in whole or in part of group purchase of merchandise, or of common management. And in like manner the term "chain store" shall apply to any group of stores where a majority interest is owned by an individual or partnership.

CHEMISTS, MANUFACTURER.

Each, per annum..... 15.00

CHEWING GUM, DEALERS IN.

See "Candy".

CHICKENS, BABY.

Every person, firm, or corporation, selling from their business establishment any chickens under six weeks of age, shall pay a license tax of, per annum 10.00

NOT PRORATED.

CHINA AND QUEENSWARE.

Every person, firm, or corporation, engaged in the business of selling china or queensware, shall pay a license tax per annum, as follows:

Where 75% of the business is derived from the sale of such articles 25.00

Where less than 75% of thebusiness is derived from the sale of such articles..... 5.00

CIGARS, CIGARETTES, AND TOBACCO-RETAILERS AND JOBBERS.

Every person, firm, or corporation, manufacturing cigars, cigarettes, Chewing tobacco, smoking tobacco, snuff, or any other tobacco products shall pay a license tax of, per annum..... 10.00

Every person, firm, or corporation, engaged in the business of retailing cigars, cigarettes, chewing tobacco, smoking tobacco, snuff, or any other tobacco products, shall pay a license tax of, per annum..... 5.00

Every person, firm, or corporation, engaged in the business of retailing, wholesaling, and/or jobbing cigars, cigarettes, chewing tobacco, smoking tobacco, snuff, or any other tobacco products, shall pay a license tax of, per annum..... 10.00

CIRCUSES.

Every person, firm, or corporation, engaged in the business of exhibiting performances, such as a circus, menagerie, wild west show, dog and/or pony show, or any other show, exhibition, or performance similar thereto, shall pay the following tax for each day or part thereof:

(a) Such shows and/or exhibitions traveling on railroads and requiring transportation of:

Not more than two cars.....	15.00
Three to five cars, inclusive.....	22.50
Six to ten cars, inclusive.....	45.00
Eleven to twenty cars, inclusive.....	62.50
Twenty-one to thirty cars, inclusive.....	87.50
Thirty-one to fifty cars, inclusive.....	125.00
Over fifty cars.....	150.00

(b) Such shows and/or exhibitions traveling by automobiles, trucks, or other vehicles, other than railroad cars, and requiring transportation by:

Not over two vehicles.....	3.75
Three to five vehicles.....	5.00
Six to ten vehicles.....	7.50
Eleven to twenty vehicles.....	10.00
Twenty to thirty vehicles.....	20.00
Thirty to fifty vehicles.....	27.50
Over fifty vehicles, per vehicle in excess thereof.....	2.50

(c) Each sideshow, curiosity show, or other similar show, exhibiting on the same or contiguous lots with a circus, the tax shall be, per day or part of a day 7.50

And each separate tent shall be regarded as a sideshow, and shall pay the license ta
hereinbefore provided.

The paymentof the foregoing tax shall permit only the exhibition known as the "sides
or in circus parlance, the "kid show". Before any permit for the licensing of any circu
menagerie, wild west show, or dog and pony show will be given, an application must be ma
to the City Manager, which application must show the name and title of the circus or othe
exhibition, the manager thereof, the owner or operators of the same, and, if a corporatio
the principal office or place of business, and the officers thereof, and the route of suc
circus or exhibition for the six days following any performance in Asheville; and if such
route is not determined at the time of such application, it must be filed before giving
any performance within the City; the number of cars, including "advance cars", the lot
upon which the "big top", "cook house", stables, and other tents and equipment will be
placed; whether a parade will be given or not; the articles of merchandise to be vended,
and the retail price thereof; which application must be sworn to and subscribed before an
officer authorized to administer any oath; provided, further, that the tax shall be based
on the report of the State Treasurer or an actual count of cars by the Director of Financ
and the payment of a license on the main and sideshows shall not authorize or permit the
operation or the sale of any concession, soft drinks, or other merchandise without payme
of the tax specifically designated herein upon such sales, and the sale of any and all
foodstuffs shall be under the supervision of the Health and Sanitary Departments, and all
ordinances regulating the handling of food shall apply to sales by any circus, their ser-
vants, agents, employees, or concessionaries.

PROVIDED, further, that a cash deposit of fifty ($50.00) dollars will be required
from each circus or exhibition before "setting up" on lot, to defray the expenses of the
Sanitary Department for cleaning up the lot used. The actual cost of such cleaning will
charged and refund will be made in the event of any surplus. A deposit to cover cost of
water used from the city supply will be required in accordance with the size of the circu

CLAIM OR COLLECTION AGENCIES.

Every person, firm, corporation or association engaged in the business of operating
a collection agency for the purpose of collecting accounts, bills, notes, or any other
indebtedness from one person firm or corporation in favor of another, shall pay a
license tax of, per annum..... 20.00

PROVIDED, that this section shall not apply to a regularly licensed practicing
attorney-at-law.

CLEANING AND PRESSING ESTABLISHMENTS.

See "Pressing Clubs".

CLEANERS OR DYERS OF HATS.

See "Pressing Clubs".

CLOTHING MERCHANTS.

Men's and Boys' Apparel.

Every person firm or corporation selling men's and boys' apparel at retail, shall pa
the following graduated license tax based on the annual gross receipts:

Less than $2,000 annually.....	5.00
2,000 and less than 5,000.....	10.00
5,000 and less than 10,000.....	15.00
10,000 and less than 15,000.....	20.00
15,000 and less than 25,000.....	25.00
25,000 and less than 35,000.....	30.00
35,000 and less than 50,000.....	40.00
50,000 and less than 75,000.....	50.00
75,000 and over.....	75.00

CLOTHING MERCHANTS

Women's, Misses' and Girls' Apparel.

Every person, firm or corporation selling women's, misses' and girls' apparel at re
shall pay the following graduated license tax based on the annual gross receipts:

Less than $2,000 annually.....	5.00
2,000 and less than 5,000.....	10.00
5,000 and less than 10,000.....	15.00
10,000 and less than 15,000.....	20.00
15,000 and less than 25,000.....	25.00
25,000 and less than 35,000.....	30.00
35,000 and less than 50,000.....	40.00
50,000 and less than 75,000.....	50.00
75,000 and over.....	75.00

CLOTHING-SECOND-HAND.

Dealers in second-hand clothing shall pay a license tax of, per annum 25.00

PROVIDED, that all such dealers shall secure a permit from the Health Officer.

COAL AND COKE DEALERS.

(a) Wholesale: Every person, firm, or corporation, either as agent or principal, engaged in and conducting the business of selling coak or coke in carload lots, or in greater quantities, shall be deemed a wholesale dealer, and shall pay a license tax of per annum..... 75.00

NOT PRORATED.

PROVIDED, that if such wholesale dealer shall also sell coal or coke by less than carload lots, he shall not be subject to the retail [illegible] provided in subsection (b) hereof.

(b) Retail: Every person, firm or corporation, either as agent or principal, engaged in and conducting the business of selling or delivering coal or coke, [illegible] within the corporate limits of the City of Asheville shall pay, per annum $ [illegible]

PROVIDED, however, every person, firm or corporation [illegible] one ton or less of coal is kept on hand at any one time, shall pay a license tax of, per annum..... [illegible]

NOT PRORATED.

COCA-COLA, BOTTLING WORKS, MANUFACTURERS OF.

See "Bottling Works".

COFFEE.

See "Tea, Coffee, and Sugar".

COFFEE ROASTERS.

Every person, firm or corporation, engaged in operating one or more coffee roasting machines, shall pay a license tax of, per annum..... [illegible]

COFFINS, CASKETS--DEALERS IN.

See "Caskets, Coffins, Dealers In".

COLD STORAGE WAREHOUSES.

On each person, firm, or corporation, operating a warehouse where cold storage is furnished for any purpose, a license shall be paid, per annum..... [illegible]

Where this tax is paid no other warehouse tax shall be paid.

COMMERCIAL AGENTS.

Each, per annum..... [illegible]

COMMISSION BUYERS AND SELLERS.

Every person, firm, or corporation, who or which [illegible] selling on commission any cotton, grain, provisions, or other commodities, either for actual spot, or instant delivery, shall pay a license tax of, per annum [illegible]

CONTRACTORS AND CONSTRUCTION COMPANIES.

(a) Building Contractors and Construction Companies: Every person, firm, or building contractor for a fixed price, commission, fee, or wage, [illegible] to superintend the construction of any building, highway, street, sidewalk, bridge, culvert, sewer, water or draining system, electric or steam railway, [illegible], power plant, transmission line or tower, excavation, or [illegible] structure, or any part thereof, shall pay a license tax of, [illegible]

(b) Electrical Contractors: Every electrical contractor holding a Certificate "A", and engaged in the business of wiring houses with electrical wiring or installing electrical apparatus of any kind, shall pay a license tax as follows:

If not more than three certified electricians are employed, per annum	[illegible]
If more than three and less than six certified electricians are employed, per annum.....	30.00
If six or more certified electricians are employed, per annum	[illegible]

(c) Heating, Plumbing, Steam, Gas, Sprinkler, and other Pipe Fitting Contractors: Every person, firm, or corporation, engaged in [illegible] heating, plumbing, steam, gas, sprinkler, or other pipe fitting contractor, shall pay a license tax as follows:

If not more than three journeymen plumbers or fitters are employed, per annum.....	[illegible]
If more than three and less than six journeymen plumbers or fitters are employed, per annum.....	30.00
If more than six journeymen plumbers or fitters are employed, per annum.....	50.00

(d) Painting, Contractors and Itinerant Smokestack, and Structural Steel Painters: Every person, firm, or corporation, engaged in business as a painting contractor, shall pay a license tax for two or less workmen of, per annum..... 10.00
And And shall pay for each additional workman, per annum..... 2.00

PROVIDED, however, that itinerant smokestack and structural steel painters shall pay a license tax of:

Per annum.....	15.00
Per month.....	2.50

(e) Plastering Contractors: Every person engaged in business as a plastering contractor, shall pay a license tax of, per annum..... $ 10.00

(f) Sheet Metal, Tinning, Roofing, or Ventilating Contractors: Every person engaged in business as a roofing, sheet metal, tinning, ventilating contractor, or operating a tinning shop, shall pay a license tax as follows:

If not more than three persons are employed, per annum.....
If more than three and less than six persons are employed, per annum 25.00
If six or more persons are employed, per annum..... 30.00
50.00

PROVIDED, that such tax shall not apply to any person paying the tax prescribed by sub-section (c) of this section, for heating, plumbing, or steam-fitting contractors.

PROVIDED, further, that the tax under this sub-section (f) shall not be paid if the person, firm, or corporation, has paid the tax provided under the heading, "Furnaces, Dealers in".

(g) Wrecking Contractors: Every person making any contract to demolish, wreck, or tear down any house or building, and every person engaged in the business of demolishing, wrecking, or tearing down houses or building, shall pay a license tax of, per annum..... 25.00

(h) Contractors, Miscellaneous: Every person engaged in business as contractor, and not otherwise specifically taxed by this article, shall pay a license tax of, per annum..... 15.00

PROVIDED, that no person, firm or corporation doing business under any or all of these sections from (a) to (h) herein specified, shall be granted any permit and no inspection shall be made where such permit or inspection is required, unless such person, firm or corporation have paid their City Privilege License as herein specified.

COTTON BROKERS.

See "Brokers, Cotton".

COTTON MILLS.

Every person, firm, or corporation, operating a cotton mill, shall pay a license tax of, per annum..... 150.00

COUPON BOOKS.

Every person, firm, or corporation, issuing, selling and/or delivering books or other similar devices containing coupons or tokens of trade which may be presented at any business house and accepted as a discount, bonus premium, or as an instrument to secure trade or patronage, shall pay a license tax of, per annum..... 200.00

CREAMERIES, DAIRIES, AND MILK PASTEURIZERS.

(a) Each establishment shall pay a license tax of, per annum..... 200.00

(b) On each motor vehicle hauling or delivering milk products at retail or wholesale a license tax shall be paid of, per annum..... 15.00

(c) On each horse-drawn vehicle, a license tax shall be paid of, per annum 7.50

PROVIDED, that where the $200.00 license is paid under sub-section (a), the taxes under sub-section (b) and (c) are not collectible.

"D"

DANCES.

Every person, firm, or corporation, operating a dance hall where admission is charged, or where a charge per dance is made, in the City of Asheville, shall pay a license tax of, per annum..... 25.00

Where the annual license tax is not paid, per dance..... 2.00

This tax shall apply to any place where dances are given, regardless of whether other tax is paid or for what purpose the proceeds are to be used.

DANCING SCHOOLS.

Every person, firm, or corporation, operating a dancing school, or place for giving instruction in dancing, shall pay a license tax of, per annum..... 10.00

DECORATORS.

Every person, firm, or corporation, placing decorations or buntings on buildings, streets, or other places, for compensation, shall pay a license tax of:

Resident..... 15.00
Itinerant..... 75.00

NOT PRORATED.

DECORATORS, INTERIOR.

See "Interior Decorators".

DELICATESSENS.

Every person, firm, or corporation, operating a delicatessen stand, shall pay a license tax of, per annum..... $ [illegible]

However, if restaurant service is given, a tax shall be paid as herein provided for restaurants.

DELIVERY AGENCIES.

Parcel or delivery companies shall pay a license tax, where automobiles or trucks are used of, per annum..... [illegible]

PROVIDED, however, that persons, firm, or corporations, delivering packages, parcels, or bundles, by motorcycle, and charging for such service, shall pay a license tax of, per annum..... 25.00

PROVIDED, further, that persons, firms, or corporations, delivering packages, parcels, or bundles, and charging for such service enduslng bicycles, or delivering by other means, shall pay a license tax of, per annum..... 15.00

DENTAL SUPPLIES OR EQUIPMENT.

Every person, firm, or corporation, selling, distributing, and/or jobbing, dental supplies, shall pay a license tax of, per annum..... 50.00

PROVIDED, however, that theprovisions of this section shall not apply to licensed drug stores or licensed dentists.

DENTISTS.

Exempt by State Statutes.

DETECTIVE AGENCIES.

Each, per annum..... 50.00
Each employee of any agency, per annum..... 5.00

DEVICES, TRADING STAMPS, ETC.

On every person, firm, or corporation, engaged in the business of issuing, selling, and/or delivering trading stamps or checks, receipts, certificates, tokens or other similar devices, or persons engaged in trade or business with the understanding or agreement expressed or implied that the same shall be presented or given by the latter to their patrons as a discount, bonus premium, or as an inducement to secure trade or patronage, and that the person, firm, or corporation, selling and/or delivering the same will give the persons presenting or promising the same, money or thing of value, or any premium or reference in any way on account of possession or presentation thereof, license tax of, per annum..... 200.00

(a) This section shall not be construed to apply to any manufacturer or to any merchant who sells the goods, wares, or merchandise of such manufacturer offering to present to the purchaser or customer a gift of certain value as an inducement to purchase such goods, wares or merchandise.

DIRECTORIES.

Every person, firm, or corporation, compiling, selling, or delivering city directories, shall pay a license tax of, per annum..... 25.00

DOGS.

Each, per annum (male and spaded female)..... 1.00
Each, per annum (female)..... 1.50
Duplicate tags each..... .10

PROVIDED, that any dog caught on the streets of the City of Asheville, shall be impounded and an impounding fee of $1.00 shall be paid in addition to the license as prescribed in this ordinance, and if the dog is not called for within five days, the owner shall have no claim on said dog.

If the license on dogs are not paid within five days from date of notice, or the dog disposed of, the owner will be subject to a summons to the Police Court of the City of Asheville.

Any dog catcher disposing of any dog except through the provisions of the law, shall be guilty of a misdemeanor upon conviction.

Ten dogs or more, see "Kennells".

DOUGHNUTS.

All Brown Bobby or doughnut machines, each, per annum..... 10.00

DRUG STORE LUNCHES.

See "Restaurants".

DRYGOODS AND/OR NOTIONS, SHOES OR GROCERIES AT WHOLESALE.

Every person, firm, or corporation, selling drygoods and/or notions, shoes or groceries at wholesale, shall pay a licnese tax of, per annum..... 25.00

DYERS.

See "Pressing Clubs".

"E"

EGGS.

See "Poultry and Eggs".

ELECTRICAL ENGINEERS.

Exempt by State Statutes.

ELECTRICAL EQUIPMENT, FIXTURES, OR SUPPLIES.

Every person, firm, or corporation, selling or distributing any electrical equipment, supplies, or fixtures, where 75% of the business done is electrical equipment, fixtures, or supplies, shall pay a license tax of, per annum..... $ 25.00

Where less than 75% of the business done is electrical equipment, fixtures, or supplies, a tax of, per annum..... 10.00

ELECTRICAL CONTRACTORS, PLUMBERS, STEAM AND GAS FITTERS.

See "Contractors".

ELECTRIC LIGHT COMPANIES.

On every electric light company, power company, gas company, or street railway company, doing business or having an office within the City, an annual license tax of one per cent on the gross receipts of its said business shall be paid.

ELECTRIC SIGNS.

Every person, firm, or corporation, selling, making, or distributing electric signs, shall pay a license tax of, per annum..... 25.00

ELEVATORS AND/OR SPRINKLER SYSTEMS.

Every person, firm, or corporation, engaged in the business of selling or repairing or servicing or equipping or installing elevators, shall pay a license tax of, per annum..... 50.00

EMBALMERS.

Exempt by State Statutes.

EMPLOYMENT AGENTS AND AGENCIES.

(a) Emigrant Agents: Every emigrant agent or person engaged in the business of procuring laborers for employment outside of Buncombe County, shall pay a license tax of per annum..... 100.00

NOT PRORATED.

PROVIDED, that such tax shall not apply to any resident person for taking laborers to some place outside of Buncombe County for the purpose of using them for his own employment.

(b) Employment Agencies: Every person engaged in the business of operating any agency for employing cooks, house servants, office help, teachers, laborers, or persons for any employment whatsoever, and making a charge for the services rendered, shall pay a license tax of, per annum..... 100.00

NOT PRORATED.

ENGINEERS, CIVIL.

Exempt by State Statutes.

ENGRAVING OR LITHOGRAPHING ESTABLISHMENTS OR SHOPS.

Each, per annum..... 25.00

ENTERTAINMENTS, OPERAS, CHAUTAUQUAS, STAR COURSES, OR THEATRICAL TROUPES.

Such as usually appear in licensed halls, tents, or theatres, employed by or for charitable, religious, benevolent, or educational purposes, shall pay a license tax of, for each day or part of day's exhibition, or performance..... 25.00

PROVIDED, however, that if such chautauquas, operas, star course, theatrical troupe or entertainment, shall contain a State License Tax, as provided under Section 103, Sub-section 6 of the 1935 Revenue Act, shall pay a license tax of, for each week or part thereof..... 20.00

EXPLOSIVES.

Every person, firm, or corporation, selling and/or distributing dynamite, powder, or other explosives, shall pay a license tax of, per annum..... 100.00

EXPRESS COMPANIES.

(a) Every person, firm, or corporation, domestic or foreign, engaged in the business of an express company, as defined in the 1935 Revenue Act, shall pay for the privilege of doing such business within the municipal limits, a license tax of, per annum $75.00

(b) Every person, firm, or corporation, hauling or delivering express within the corporate limits of the City of Asheville, shall pay an annual license tax as follows:

On each motor vehicle of one ton capacity or less..... 25.00
On each motor vehicle of more than one ton capacity and not more than two. 35.00
On each motor vehicle over two ton capacity..... 40.00

EXHIBITION OR EXHIBITS NOT SPECIFICALLY TAXED HEREIN.

Per week..... 7.50
Per week..... 35.00

"F"

FACTORIES, BARREL, CRATE, BASKET.

See "Barrel Factories".

FACTORIES, BOX.

See "Box Factories".

FARM PRODUCTS.

See "Fruits and Produce".

FEATHER RENOVATORS.

Each, per annum..... 25.00

FERRIS WHEELS.

See "Riding Devices".

FERTILIZER DEALERS

Every person, firm, or corporation or their agents selling, delivering or distributing fertilizer or plant food, shall pay a license tax of each, per annum... 25.00

Mixers or manufacturers of fertilizers, shall pay a license tax of, per annum..... 150.00

NOT PRORATED.

PROVIDED, however, only the latter shall be collected from a person who is also a dealer.

FILLING STATIONS.

See "Automobile Service Stations".

FILMS, MANUFACTURERS, SELLING OR LEASING.

Exempt by State Statutes.

FINANCE COMPANIES, AUTOMOBILES.

See "Automobile Dealers", sub-section (i).

FIRE INSURANCE COMPANIES.

Exempt by State Statutes.

FIREWORKS.

Every person, firm, or corporation, engaged in the business of selling or offering for sale, cap pistols, fire-crackers, fireworks, or other articles of like kind, shall pay a license tax of, per annum..... 25.00

NOT PRORATED.

FISH, ORNAMENTAL.

Every person, firm, or corporation, selling gold, silver, or other ornamental fish, alive, for use in an aquarium, bowls, or other ornamental purposes, shall pay a license tax of, per annum..... 10.00

This tax shall not be collected when a pet shop license is obtained.

FISH, PEDDLERS OF.

PROHIBITED.

FISH AND OYSTER DEALERS.

For, or [illegible]..... $ 25.00

PROVIDED, that all dealers in fish and oysters shall secure a permit from the Health Officer.

FIVE AND TEN CENT STORES.

Every person, firm, or corporation, engaged in the operation of a business commonly known and designated as a "Five and Ten Cent Store", or where the majority of the articles of merchandise are offered for sale and are priced at less than one dollar, shall pay a license tax of, per annum..... 300.00

PROVIDED, where this tax of $300.00 is paid, the "Chain Store" License tax, and all other license taxes levied by this ordinance on individual items, shall not be collectible; otherwise, "Chain Store" tax and all of the other individual items shall be collectible.

FLEA, FLEA-BITE SELLING.

See "Medicine".

FLOOR FINISHERS.

Floor finishers using electrically operated machinery, shall pay a license tax of, per annum..... 10.00

FLORISTS.

(a) On every person, firm, or corporation, operating or maintaining a shop or store for the sale of flowers or ornamental plants, a license tax shall be paid of, per annum..... 50.00

PROVIDED, that if any person, firm, or corporation, shall do an annual business of less than $1,500.00 and more than $1,500.00 the license tax on such business shall be..... 35.00

PROVIDED, where such annual business is less than $1,500.00 a license tax of, per annum..... 20.00

(b) On every person, firm, or corporation, operating or maintaining a wagon or truck for the sale of flowers, or ornamental plants on the streets of the City, and not paying the foregoing tax, on each truck or wagon, shall be paid a license tax of, per annum..... 25.00

(c) On every person selling flowers, or ornamental plants or Christmas trees, shall be paid a license tax of, per annum..... 7.50

The foregoing tax shall not be prorated.

PROVIDED, however, that in the case of the sale of uncultivated, wild flowers, gathered from the woods and fields of Western North Carolina, no tax shall be collected.

Sale of flowers and ornamental plants on sidewalks and streets hereinafter enumerated is prohibited: On Park Square, Patton Avenue from Pack Square to Coxe Street; Haywood Street from Patton Avenue to south property line of Municipal Auditorium; Government Street; Wall Street; Battery Park Place; and College Street from Haywood to Lexington Ave.

FLOUR AND/OR GRIST MILLS.

Every person, firm, or corporation operating a flour and/or grist mill, shall pay a license tax of, per annum..... 50.00

PROVIDED, where small grist mills grinding corn only, shall pay a license tax of, per annum..... 10.00

FLOUR, MEAL AND FEED STORES.

Every person, firm, or corporation engaged in the business of selling flour, meal and/or feed at wholesale or retail, shall pay a license tax of, per annum 25.00

FLYING-JENNY OR MERRY-GO-ROUND.

See "Riding Devices".

FORTUNE TELLERS.

See "Gypsies and Fortune Tellers".

FOUNDRIES AND MACHINE SHOPS.

Each, per annum..... 50.00

Foundries or machine shops buying or selling old scrap brass, copper, or lead, are hereby required to keep the same records as are required of junk dealers.

FOUNTAINS, SODA.

Every person, firm or corporation, engaged in the business of operating a soda fountain or soft drink stand, shall pay a license tax as follows:

On each carbonated draft arm of each soda fountain, per annum.... 5.00

FRANCHISES, SPECIAL

See "Automobile Service Stations on Sidewalks or Streets".

FRATERNAL INSURANCE ORDERS.

Exempt by State Statutes.

FRUIT PEDDLERS.

See "Fruits and Produce".

FRUIT STANDS.

When the principal articles of sale are fruits and/or vegetables, at retail, a license tax shall be paid, of, per annum..... $ 10.00

FRUITS AND PRODUCE--WHOLESALE.

(a) Every person, firm, or corporation, who maintains a permanent place of business for the purpose of selling at wholesale, fresh fruits, vegetables, andproduce, in the City of Asheville, shall pay a license tax of, per annum..... 50.00

This tax shall not apply to farmers selling or offering for sale fresh fruits, vegetables or farm products grown by seller.

The annual city license tax must be applied for and secured in advance before offering any of the above products for sale in the City of Asheville. This license cannot be prorated.

FUEL OIL.

Every person, firm, or corporation, engaged in the business of selling fuel oil at wholesale or retail, shall pay a license tax of, per annum..... 25.00

FUR CLOTHING DEALERS.

(a) Every person, firm, or corporation, selling either fur coats, throws, fur scarfs, or other articles made in whole or in part out of fur, where 75 per cent of the gross sales or stock of merchandise carried consists of fur articles, shall pay a license tax of per annum..... 50.00

(b) Every person, firm, or corporation, engaged in the business of remodeling, repairing, or storing furs, employing two helpers or less, per annum..... 15.00
Employing more than two helpers, per annum..... 25.00

FURS- HIDES EXCEPTED.

Dealers in green or raw furs, each, per annum..... 25.00

FURNACES, DEALERS IN.

Every person, firm, or corporation selling or distributing, or repairing, furnaces, or boilers, shall pay a license tax of, per annum..... 50.00

FURNITURE STORES.

Every person, firm, or corporation selling furniture, new or second-hand, at retail having floor space of:

2,000 sq. ft. or less, to 4,000 sq. ft., per annum.....	15.00
4,000 sq. ft. to 6,000 sq. ft., per annum.....	25.00
6,000 sq. ft. to 8,000 sq. ft., per annum.....	40.00
8,000 sq. ft. to 10,000 sq. ft., per annum.....	60.00
10,000 sq. ft. and over, per annum.....	80.00
At wholesale, per annum.....	150.00

PROVIDED, however, that where any person, firm, or corporation, operates a business not dealing in furniture exclusively, a tax shall be paid on the floor space devoted to the sale of furniture, but in no case shall the license tax be less than $15.00 per annum.

Every person, firm, or corporation, buying or exchanging used furniture, shall, before beginning business, secure a permit from the Health Officer.

"G"

GALLERIES, SHOOTING.

Each, per annum..... 20.00

GAMES.

Games for sport or play, including boxing and wrestling matches, operated for profit, not herein specifically licensed, each exhibition or game..... 5.00

The foregoing shall not be collected from iter-scholastic or intercollegiate athletic contests or baseball games.

GAS COMPANIES.

See "Electric Light Companies".

[illegible] "Waste and Sealing".

[illegible] LINES ANNUAL.

[illegible] or across any public street, sidewalk, or alley, a tax of 10 cents per lineal foot [illegible] line.

PROVIDED, however, that no such pipe line shall be laid without first obtaining a [illegible] permit by the City Manager, which license or permit may be granted or refused [illegible] Council, in the interest of public safety or convenience.

[illegible] MERCHANDISE.

Every person, firm, or corporation, engaged in the business of operating a gift or [illegible], shall pay a license tax of, per annum..... $ 10.00

[illegible], SELLING OR WHOLESALE DEALERS.

See "Bottling Works".

GLASS.

Every person, firm, or corporation, selling or distributing glass, shall pay a license tax of:

At wholesale, per annum..... 100.00
At retail, per annum..... 50.00

GOLF, MINIATURE.

Per annum..... 10.00

GOODS, WARES, AND MERCHANDISE--PEDDLING OF.

(a) Every person, firm, or corporation, who or which shall carry from place to place any goods, wares or merchandise, and offer to sell or barter the same, or actually sells or barters the same, shall be deemed a peddler, and shall apply for and procure from the collector of special license taxes a municipal license for the privilege of transacting such business and shall pay for such licenses the following annual tax:

Peddling on foot, per annum..... 5.00
Peddling with horse drawn vehicle, per annum..... 7.50
Peddling with passenger cars or small trucks made from passenger cars, per annum..... 7.50
Small two wheel trailers drawn by truck or automobile, per annum..... 7.50
Trucks of one-half ton capacity, per annum 10.00
Trucks of more than half ton and not over one ton capacity, per annum..... 15.00
Trucks of one and one-half ton capacity, per annum..... 20.00
Trucks, Trailers and semi-trailers of more than one and one-half ton capacity, per annum..... 25.00

PROVIDED. Where the annual license tax has not been paid a license tax per load shall be collected as follows:

Pick-up trucks and cars of less than one-half ton capacity... 1.00
Trucks of one-half ton capacity..... 2.00
Trucks of one ton capacity..... 3.00
Trucks of one and one-half ton capacity..... 4.00
Trucks, trailers and semi-trailers of more than one and one-half ton capacity..... 5.00

Any person, firm, or corporation employing the service of another as a peddler, whether [illegible] commission basis, shall be liable for the payment of taxes levied in this section.

(b) Any person, firm, or corporation, who or which sells or offers to sell, from a [illegible], truck, automobile, or other vehicle, operated over and upon the streets within the City, any fresh fruits and/or vegetables shall be deemed a peddler within the meaning of this section, and shall pay the annual license tax levied in sub-section (a) of this section, with reference to the character of vehicle employed.

(c) Any person, firm, or corporation, who or which sells or offers for sale, from any [illegible], any fresh fruits and/or vegetables, shall be deemed a peddler within the meaning of this section, and shall pay an annual tax of..... 25.00

Provided, in this section shall apply to the sale of farm products raised on the premises owned or occupied by the person, firm, or corporation, his or its bona-fide agent, or employee, selling the same.

PROVIDED, however, before any person, firm, or corporation, who or which sells or offers for sale fresh fruits or farm produce upon any street, sidewalk or alley, or from any railroad car, such person shall apply to the tax collector of the City of Asheville for a selling permit, filing affidavit, sworn to and subscribed before a person authorized to administer oaths by the Laws of the State of North Carolina, swearing to the fact that all farm products to be sold during the tax year have or will be grown on premises owned or occupied by the person, firm, or corporation, his or its bona-fide agent or employee selling the same, with description and location of the premises on which such farm produce or fruits has been grown or will be grown, mail address, and any other information which may be required from such person with reference to such raising or selling of the same. And, if entitled to sell such farm produce without the payment of

license tax herein provided, the tax collector shall issue a permit for such sales and, if liable, such permit shall not be issued until the tax prescribed herein shall have been paid in full. City employees are prohibited from verifying affidavit.

(d) Every itinerant salesman or merchant who shall expose for sale, either on the street, or in a house rented temporarily for that purpose, any goods, wares, or merchandise, [illegible] stock of fire stock, not being a regular merchant in the City, shall be required to and procure a municipal license from the collector of special license taxes for the privilege of transacting such business, and shall pay for such license tax of, per annum $ [illegible].

(e) The provision of this section shall not apply to any person, firm, or corporation who or which sells or offers for sale books, periodicals, printed music, ice, coal, wood for fuel, fish, beef, mutton, pork, bread, cakes, pies, products of [illegible], or articles of their own manufacture, but shall apply to medicine, drugs or articles compounded.

PROVIDED, the exception contained in this section shall not allow or permit the sale or barter of any article of merchandise of any kind which is now prohibited or regulated by any other ordinance of the City of Asheville.

(f) Exceptions: Whenever the Board of Commissioners of Buncombe County, upon proper application, exempts from the provisions of this section Confederate soldiers, disabled veterans of the Spanish-American War, disabled soldiers of the World War, who have been bona-fide residents of the State for twelve or more months continuously, and the blind, who have been bona-fide residents of the State for twelve or more months continuously, widows with children, and such persons present to the collector of special license taxes of the City of Asheville a certified copy of such exemptions by said Board of County Commissioners, and such certificate shall entitle the holder thereof to peddle within the limits of said County without the payment of any license tax to the city, but no person shall be entitled to peddle within the corporate limits of the City of Asheville by reason of such exemptions; provided, however, that such exemption relieves only the individuals for [illegible] the license tax herein imposed on persons not exempted, but all other provisions of the City of Asheville, with reference to the sale of goods, wares and merchandise, shall apply to the persons so exempted.

NOT PRORATED.

GRADING, PAVING, SIDEWALKS, SEWERS, OR STORM SEWERS.

See "Contractors and Construction Companies".

GRAPHOPHONES, PHONOGRAPHS, OR TALKING MACHINES.

See "Organs, Pianos, and Phonographs".

GRAVEL.

See "Building Materials".

GUN AND LOCKSMITHS.

Each, per annum..... 10.00

GYPSIES AND FORTUNE TELLERS.

For Gypsies or strolling bands, and persons living in [illegible], trading in horses, mules or other things of value, and otherwise, [illegible] fortunes..... 200.00

Persons other than Gypsies, receiving reward for [illegible] fortunes..... 100.00

"H"

HAIRDRESSERS.

See "Barber Shops, etc".

HARDWARE DEALERS.

Every person, firm, or corporation, engaged in the business of selling hardware, shall pay a license tax, per annum, as follows:

Where 75% of the business is derived from the sale of hardware..... 10.00
Where less than 75% of the business is derived from the sale of hardware..... 5.00

HARNESS OR SHOE REPAIRERS OR MANUFACTURERS.

Each itinerant..... 100.00
Each resident employing no workman..... 5.00
Each resident employing one workman..... 7.50
Each resident employing two workmen..... 9.00
Each resident employing three workmen..... 15.00
Each resident employing four workmen..... 24.00
Each resident employing five or more workmen..... 35.00

HAT CLEANERS OR DYERS.

See "Pressing Clubs".

HATS.

See "Millinery".

HEALING PROFESSIONS, ETC.

Exempt by State Statutes.

HIDE DEALERS.

Each, per annum..... $ 150.00

HOTELS, MOTELS, AND TOURIST COURTS--DEALERS IN.

Every person, firm, or corporation, engaged in the business of buying and selling [illegible] dealer in hotels, shall pay a license tax of, per annum, as follows:

(a) Any [illegible], for the last three years continuously, has listed poll or [illegible], shall pay:

For the first overload..... 10.00
For each additional overload..... 5.00

(b) Any [illegible], for the last three years continuously, has not listed poll or [illegible], shall pay:

For the first overload..... 50.00
For each additional overload..... 10.00

HOUSE TRAILERS--DEALERS IN.

Every person, firm, or corporation, engaged in thebusiness of selling or distributing [illegible] supplies shall pay a license tax of, per annum..... 40.00

PROVIDED, however, that this tax shall not be collected from persons, firms, or corporations [illegible] dealing stores.

HOTELS.

Every person, firm, or corporation engaged in the operation of any hotel, shall pay [illegible] tax, per annum:

(a) American Plan: For hotels operating on the American Plan for rooms in which rates [illegible] per day are:

Less than $2.00..... .30
2.00 and less than 3.00..... .45
3.00 and less than 4.50..... .90
4.50 and less than 6.00..... 2.10
6.00 and less than 7.50..... 2.70
7.50 and less than 15.00..... 3.00
Over 15.00..... 3.60

(b) European Plan: For hotels operating on the European Plan, for rooms in which rates [illegible] per day are:

Less than $2.00..... .60
2.00 and less than 3.00..... 1.50
3.00 and less than 4.50..... 2.25
4.50 and less than 6.00..... 2.75
6.00 and less than 7.50..... 3.25
7.50 and less than 15.00..... 3.75
Over 15.00..... 4.25

PROVIDED, however, the office, diningroom, parlor, kitchen, and two other rooms shall [illegible] including thenumber of rooms in the hotel.

HOTELS--RESTAURANTS--BOARDING IN.

Every person, firm, or corporation, engaged in the business of selling or distributing [illegible] restaurants, whether for the culinary or other departments, shall pay a license tax of, per annum..... 50.00

HOUSE MOVERS.

[illegible]; (2)..... 25.00

HYPNOTISTS.

Exempt by State Statutes.

"I"

ICE CREAM--WHERE ICE CREAM IS SOLD.

See "Dealers".

ICE CREAM--RETAIL MANUFACTURER OR WHOLESALE DEALERS.

(a) Each retail dealer, per annum..... 2.50

PROVIDED, that a retail tax shall not be collected from restaurants or drug stores who have paid the prescribed tax.

(b) Every person, firm, or corporation, engaged in [illegible] distributing ice cream at wholesale, shall pay for each [illegible] for each place of business where manufactured and/or stored for distribution, [illegible] tax of, per annum..... $ [illegible]

(c) Ice cream peddlers, shall pay [illegible] license tax of, [illegible]

License issued, subject to approval and [illegible] before part making application can be granted a license, it will be necessary to [illegible] written statement from the Health Officer that the premises and [illegible] is approved by him.

For the purpose of this section, the words, "ice cream", shall [illegible] frozen custards, sherbets, water ice, and/or similar frozen products.

ICE DELIVERY SERVICE.

Per vehicle..... [illegible]

PROVIDED, however, that this shall not apply to persons, firms, or corporations, who pay the license tax under "Ice Manufacturers or Dealers".

ICE DEPOTS.

On each retail depot with Electric refrigeration, a license tax shall be paid for, per annum..... [illegible]

On each retail depot without electrical refrigeration, a license tax shall be paid for, of, per annum..... [illegible]

ICE MANUFACTURERS OR DEALERS.

Any person, firm, or corporation, manufacturing ice, shall pay a license tax of, per annum.....

PROVIDED, that where the manufacturing plant is outside of the City, but the business is selling and delivering within the City, shall pay a license tax of, per annum.....

NOT PRORATED.

IMPLEMENTS.

See "Agricultural Implements and Machinery".

INSURANCE AGENTS.

Exempt by State Statutes.

INSURANCE FIRE COMPANIES.

Exempt by State Statutes.

INSURANCE FIRE ADJUSTERS.

Exempt by State Statutes.

INSURANCE--FRATERNAL ORDERS.

Exempt by State Statutes.

INSURANCE--TITLE.

See "Title Insurance".

INTERIOR DECORATING AND WALL-PAPER HANGING.

Every person, firm, or corporation, engaged in the [illegible] in the business of interior decorating, shall pay a license tax, [illegible] as:

Wall-paper hanging, per annum..... [illegible]
Interior decorating, per annum..... [illegible]
Interior decorating does not include painting or wall-paper hanging.

"J"

JEWELRY.

Every person, firm, or corporation, operating a jewelry store or shop, or selling plated and silverware, shall pay a license tax of, per annum..... 45.00

Every person, firm, or corporation, having a jewelry department, or selling plated or silverware, but not engaged principally in the sale of jewelry, or plated or silverware, shall pay a license tax of per annum..... 10.00

JEWELRY STANDS.

Every person, firm, or corporation, making key rings, tags, etc., in any place other than a building occupied for such purpose, shall pay a license tax of, per annum..... 10.00

NOT PRORATED.

...peddler, ... person shall be allowed to make jewelry, key rings, tags, and ... on public property or on the streets, sidewalks, or alley-ways of the City.

JEWELRY ... REPAIR SHOPS OR CATCHMAKERS.

Every ..., firm, or corporation, operating a jewelry or watch repair shop, ... per annum..... $ 5.00

... person, firm or corporation operating a jewelry shop or store pays a jewelry tax, no tax shall be ... under this ....

JUNK DEALERS.

Every ..., firm, or corporation, buying or selling junk, shall pay a license tax of, ... of business, per annum..... 150.00
... or truck collecting junk, per annum..... 50.00

Any ..., firm, or corporation, desiring a license hereunder, must first make ... the City Manager, and will be required to furnish justified bond ... of $1,000. conditioned according to the City Ordinance applicable thereto.

"K"

KENNELS, DOG.

Per 50.00

The keeping of ten or more dogs, including pups over six months old, on the same premises, shall constitute the keeping of a dog kennel.

KNIFE OR CUTLERY SHOPS.

See "Razor Blades".

"KNIVES".

See "Razor Blades".

KNITTING, ETC.

See "Bathing Suits".

KODAKS.

See "Cameras".

"L"

LABOR AGENTS, EMIGRATION.

(a) Every ..., firm, or corporation, either an agent or principal engaged in ... hiring, and/or contracting with laborers, make or female, in this State, for ... employment out of this State, shall pay a license tax of, per annum... 100.00

(b) Every ..., firm, or corporation, who or which engages in the business of ... employment for a person or persons and charging therefor a fee, commission, or ... for ..., shall pay a license tax of, per annum..... 100.00

PROVIDED, however, that this section shall not apply to any employment agency ... the Federal Government, the State, or any County or Municipality whose sole ... securing laborers for work in the harvesting of farm crops within the State ...

LAUNDRIES.

Every ..., firm, or corporation, engaged in the business of operating a laundry, ... wash laundries, where steam, electricity, or otherpower is used ..., per annum..... 62.50

... dairy or other concern doing a gross volume of business of less ..., shall pay a license tax of, per annum..... 25.00

PROVIDED, further, that any laundry not employing in excess of three persons, shall pay a license tax of, per annum..... 25.00

PROVIDED, also, that this section shall not apply to washerwomen.

LAUNDRY AGENCIES.

Every ..., firm, or corporation, engaged in the business of operating a laundry ... outside of Asheville, and soliciting laundry business in the City of Asheville through ..., shall pay a license tax of, per annum..... 50.00

LAWYERS.

Exempt by State Statutes.

LEASING OR SELLING FILMS

Exempt by State Statutes.

LECTURES, PROFESSIONAL.

Each lecture where admission is charged, except where solely for charitable, relig... or educational purposes..... 50.00

LEMONADE-ITINERANT.

See "Balloons".

LEMONADE STANDS.

On public occasions, ... as "Soft Drink Stands".

LETTING MACHINES, BLOWING MACHINES.

Each, per day..... ...

LIGHTNING ROD AGENTS.

Each lightning rod dealer having a general office, or selling from ... shall pay a license tax of, per annum..... 1...

LINEN SERVICE.

Every person, firm, or corporation, renting or ... towels or other linen for ... rental or on a fee basis, shall pay a license tax of, per ..... 4...

LINEN SHOPS.

Every person, firm, or corporation engaged in business ... which all items sold are linens, shall pay a license tax of, per annum..... 25.00

LIVERY STABLES.

On every person, firm, or corporation, who ... horses or mules by the day or hour, with or without vehicles, or run a hitch and feed stable, a license tax of ... per annum..... 10.00

LOAN AGENTS OR BROKERS.

Every person, firm, or corporation, engaged in the regular business of making loans or lending money, and accepting liens on, or contracts of ... part of, salaries or wages or any part thereof, or other security or evidence of debt for ... of such loans in installment payments or otherwise, and maintaining in connection with same any office or other located or established place for the conduct, negotiation, or transaction of such business, and/or advertising or soliciting such business in any manner whatsoever, shall be deemed a loan agency, and shall pay a license tax of, per annum..... 100.00

PROVIDED, that this shall not be construed to apply to banks, industrial banks, trust companies, building and loan associations, nor installment ... loans as defined in Section 148 of the Revenue Act of 1935. It shall apply to ... persons or concerns operating, or commonly known, as loan companies or finance companies, and whose business is as hereinbefore described, and those persons, firms, or corporations, pursuing the business of lending money and taking as security for the ... of such loan and interest an assignment of wages, or an assignment of wages with ... power of attorney to collect same or other order or chattel mortgage or bill of sale upon household ... or similar furniture.

LOAN COMPANIES.

See "Mortgage Loan Companies".

LUBRICANTS, OIL, ETC.--DEALERS IN.

See "Oils and Gasoline".

LUGGAGE.

(a) Each and every person, firm, or corporation, ... 75 per cent of the gross sales or stock of merchandise carried is luggage, shall pay a license tax of, per annum..... 25.00

(b) Each and every person, firm, or corporation, selling luggage, and where less than 75 per cent of the sales or stock of merchandise consists of luggage, shall pay a license tax of, per annum..... 5.00

LUMBER--BROKERS, OR WHOLESALE DEALERS.

Every person, firm, or corporation, with an office within the City of Asheville, manufacturing, buying, and/or selling lumber at wholesale and/or handling same upon a brokerage or commission basis, shall pay a license tax of, per annum... 25.00

LUMBER DEALERS.

See "Building Materials".

LUNCHES--DRUG STORES.

See "Restaurants".

LUNCH ROOMS AND RESTAURANTS.

See "Restaurants".

LUNCHES--ITINERANTS SELLING.

See "Balloons".

LYCEUM BUREAUS AND CHAUTAUQUA BUREAUS.

For, or $25.00

"M"

MACHINE GUNS.

For, or 25.00

MACHINES, AMUSEMENT DEVICES.

(a) Every person, firm, or corporation, engaged in operating within the City of Asheville, any slot machine wherein is kept any article to be purchased by depositing therein any coin or thing of value, or for which may be had any article of merchandise, or any machine from which may be seen any picture or heard any music by depositing therein any coin or thing of value, or any slot weighing machine, or any machine for making stencils or other use of contrivances operated by depositing in the machine any coin of thing of value, or any machine wherein is played or any lock operated by slot wherein money or thing of value is to be deposited, shall pay for each machine or lock, the following license tax, per annum.....

For each machine that requires a deposit of not more than one cent 5.00
For each machine that requires a deposit of more than once cent and not more than five cents..... 10.00
For each machine that requires a deposit of more than five cents, and not more than ten cents..... 20.00
For each machine that requires a deposit of more than ten cents and not more than twenty cents..... 30.00
For each machine that requires a deposit of more than twenty cents..... 40.00
Weighing Machine requiring a deposit of one cent..... 2.50
Vending machines vending cosmetics, foods, confections or drinking cups requiring deposit of 1¢..... 2.50

NOT PRORATED.

PROVIDED, the foregoing shall not apply to those items enumerated in Section 129 of the Revenue Act of 1935.

PROVIDED, however, that this section shall not apply to machines owned and operated by any retail merchant in his own place of business for delivering merchandise of the kind or value of the coin deposited; nor shall it apply to slot machines from which drinking cups are delivered at not more than one cent per cup.

The owner or operator of each and every slot machine or slot lock shall keep posted in a conspicuous place on the front of such machine, or in a conspicuous place near such machine or slot lock, the tax receipt issued for such machine or slot lock.

MACHINERY.

See "Agricultural Implements and Machinery".

MAKING OR MOVES.

See "Bond Makers".

MANICURISTS.

For each, per annum..... 5.00
If operated, per annum..... 50.00

MANUFACTURERS-MISCELLANEOUS.

Every person, firm, or corporation, engaged in the business of manufacturing any product not taxed under this Schedule, shall pay a license tax of, per annum..... 25.00

MASSAGE ESTABLISHMENTS.

For, per annum..... 50.00
For each, per operator..... 5.00

BOWLER, Each alley that operator is working the license shall be 25.00

MATTRESS, RENOVATING.

See "Furniture Repairing".

MATTRESS FACTORIES OR RENOVATORS.

For, per annum..... 25.00

MEATS.

(a) Every person, firm, or corporation, engaged in the operation of a meat market, shall pay the tax in accordance with the classification hereinafter set forth:

CLASS A:
Meat markets selling 500 pounds or less of fresh meats per week, each, per annum..... 25.00

CLASS B:
Meat markets selling 500 pounds of fresh meats per week, each, per annum..... 50.00

PROVIDED, that said license tax shall be paid for each meat market operated within the corporate limits of the City of Asheville.

(b) Every person, firm, or corporation, engaged in the wholesale distribution or sale of fresh or cured meats..... 50.00

(c) Every person, firm, or corporation, storing, selling, or selling meats of any kind from warehouses within the city limits..... 15.00

PROVIDED, that the provisions of this section shall not apply to any person, firm, or corporations, who have paid the tax levied on packing houses.

NOTE: Meat not having been salted longer than twenty days shall be classed as fresh meat, and the license shall be collected as imposed on retail and wholesale dealers of fresh meats. PROVIDED, that from and after the passage of this ordinance it shall be unlawful for any person, firm, or corporation, to operate a meat market without first obtaining a meat market permit from the Health Officer which must be in force during period of operation and a copy of the same must be conspicuously posted at all times within the said market so as to be plainly visible to all customers who may patronize said market.

PROVIDED, further, that the Director of Finance may require at any time or intervals from the operator of any meat, during the tax year, and if during any week of the tax year a meat market in Class A sells more than 500 pounds of meat, then said Class A meat market shall be rated as Class B, and shall be liable for tax in accordance with Class B Schedule.

MEAT DISTRIBUTORS.

Every person, firm, or corporation, distributing and delivering meat at wholesale or retail, and not having a place of business in the City of Asheville, shall pay a license tax of, per annum..... 50.00

PROVIDED, the provisions of this section shall not apply to persons, firms, or corporations, paying packing house license.

MEDICINE SELLERS OR VENDORS.

See "Goods, Wares, and Merchandise".

Free shows in connection with the selling of medicines or other merchandise in other than licensed theatres or moving picture shows, prohibited within the corporate limits of the City of Asheville.

MENAGERIES.

See "Circuses".

MERCHANTS-ITINERANT.

Itinerant or salesman selling as proprietor or agent in any hall or in a storeroom, goods, wares, or merchandise, on which an itinerant or other tax is not herein specifically imposed, shall pay a license tax of, per annum..... 100.00

NOT PRORATED.

PROVIDED, that all such sales on any street, square, alley, or other municipal property is expressly prohibited.

Itinerant merchants, dealers, or proprietors, or agents selling by sample or fire sales, or any kind of goods, wares, or merchandise, shall pay a license tax of, per week..... 100.00

PROVIDED, however, that no tax shall be collected from trustees or officers of Bankruptcy Court making sales under Order of Court.

MERCHANTS-PEDDLING.

See "Goods, Wares, and Merchandise".

MERCHANTS-TAILORS.

Employing two helpers or less, per annum..... 10.00
Employing over two helpers, per annum..... 25.00

MERCHANTS AND STOCK BROKERS.

See "Brokers".

MERRY-GO-ROUND OR FLYING JENNY.

See "Riding Devices".

METAL WORKING ESTABLISHMENTS OR TIN SHOPS.

See "Contractors and Construction Companies".

METALLIC CARTRIDGES.

See "Pistols".

MFT [illegible], BEER, OR [illegible] KNUCKLES.

See "[illegible]".

MILK [illegible] AND CREAMERIES.

See "[illegible]".

MILL [illegible].

Every person, firm, or corporation, sellingor distributing mill or factory supplies, [illegible], per annum..... $ 100.00

MILLINERY SHOPS.

Every person, firm, or corporation, selling millinery, shall pay a license tax of, per annum..... 25.00

PROVIDED, that any person, firm, or corporation selling millinery, where the gross sales shall not exceed $1, [illegible]. shall pay a license tax of, per annum..... 10.00

MINSTREL SHOWS.

See "Plays".

MONUMENTS OR MONUMENTS--DEALERS IN.

Every person, firm, or corporation, engaged in the business of erecting, manufacturing, selling, or offering for sale monuments, marble tablets, grave stones, or articles of like kind, shall pay a license tax of, per annum..... 20.00

MOP OR BROOM FACTORIES.

Every person, firm, or corporation, manufacturing or assembling mops or brooms, shall pay a license tax of, per annum..... 25.00

MORTGAGE LOAN COMPANIES.

Every person, firm, or corporation, doing a mortgage or loan business in the City of Asheville, and not paying a license tax under any other schedule herein, shall pay an annual license tax according to the following schedule:

(a) For each $5,000.00 loaned, or less..... 5.00

(b) For all loans in excess of $5,000.00, every person, firm, or corporation shall be required to pay at the rate of $5.00 for each and every $5,000.00 of additional loans, or fraction thereof.

For the purpose of ascertaining the amount of tax levied and to be collected hereunder every person, firm, or corporation, engaged in the business aforesaid shall render to the Tax Collector of the City of Asheville a quarterly report showing in detail the amount and/or volume of business done and/or loans made during such preceding three months period.

MOTORCYCLE DEALERS.

See "Automobiles, Motorcycles, Motor Vehicles-Dealers In".

MOVING, DEMOLISHING, OR WRECKING HOUSES OR OTHER STRUCTURES.

Every person, firm, corporation, engaged in the business of moving, demolishing, or [illegible] houses or structures, shall pay a license tax of, per annum 25.00

MOVING PICTURE OR VAUDEVILLE SHOWS.

Every tent, hall, tent, or air-dome used as a moving picture or vaudeville show, [illegible] shall pay the tax as follows shall be paid:

Those having a seating capacity of less than 500..... 125.00
Those having a seating capacity of 500 or less than 1,000.. 175.00
Those having a seating capacity of over 1,000..... 212.00

Theatres, or moving picture show operating more than two (2) miles from the business center of the City of Asheville (for the purpose of this provision the term "business center" is defined to be the intersection of the principal business streets of the City of Asheville), and in territory in which such moving picture show is located having been annexed to the City of Asheville since January 1, 1923, the license tax shall be, per annum 100.00

No [illegible] shall be charged for fortune tellers, clairvoyants and similar craft [illegible] theatres.

MULTIGRAPHING, [illegible] OR MIMEOGRAPHING.

Every [illegible] graphing.

MULTIGRAPH SHOPS.

Every person, firm, or corporation, multigraphing or mimeographing letter, advertisements or other documents for compensation, shall pay a license tax of, per annum, as follows:

1 operator..... 10.00
2 operators..... 15.00
More than 2 operators..... 25.00

"N"

NEWS DEALERS ON TRAINS.

Exempt by State Statutes.

NEWSPAPERS.

Daily, morning..... $ 100.00
Daily, afternoon..... 100.00
Weekly..... 25.00
Monthly..... 15.00

PROVIDED, that where any newspaper company prints, in addition to its newspapers, circulars, or other printed matter, the tax levied under "Printing Establishments", shall also be paid.

NEWSPAPER CONTESTS.

Every person, firm, or corporation, conducting any newspaper contest, shall pay a license tax as follows:

Weekly, semi-weekly or monthly newspapers, magazines or periodicals 25.00
Daily newspapers..... 100.00

NEWS STANDS.

Per annum..... 2.50

NEWS STANDS ON STREETS OR SIDEWALKS.

PROHIBITED.

NEWSPAPER OR MAGAZINE DISTRIBUTORS.

Per annum..... 25.00

NURSERIES.

Every person, firm, or corporation, operating a nursery, or selling or displaying for the purpose of advertisement or sale ofnursery products, shall pay a license tax of, per annum..... 25.00

"O"

OCULISTS.

Exempt by State Statutes.

OFFICE EQUIPMENT.

Every person, firm, or corporation, engaged in the business of selling office equipment or supplies, shall pay a license tax of, per annum..... 25.00

OIL, FUEL.

See "Fuel Oil".

OILS AND GASOLINE.

(a) Every person, firm, or corporation, engaged in the business of selling illuminating or lubricating oils or greases, or benzine, naptha, gasoline, or other products of like kind from an agency, station or warehouse, for the distribution or sale of the aforementioned commodities as defined in Section 137 of the Revenue Act of 1935, shall pay a license tax of, per annum..... 50.00

PROVIDED, that this shall apply only to agencies or warehouses in the City of Asheville engaged in the distribution or sale of the commodities enumerated.

(b) Every person, firm, or corporation, engaged in the business of selling illuminating or lubricating oils or greases, or benzine, naptha, gasoline, or other products of like kind, who do not maintain an agency, station, or warehouse within the City of Asheville, shall pay a license tax of, per annum..... 50.00

(c) Every person, firm, or corporation, engaged in thebusiness of re-conditioning or refining oils, shall pay a license tax of, per annum..... 20.00

OPERAS.

See "Chautauquas".

OPTICAL SUPPLIES.

Every person, firm, or corporation, selling optical goods or supplies at wholesale, shall pay a license tax of, per annum..... 150.00
At retail, per annum..... 50.00

PROVIDED, however, that the foregoing tax shall not be collected from duly licensed practicing physicians, optometrists, or oculists.

OPTICIANS.

Exempt by State Statutes.

OPTOMETRISTS.

Exempt by State Statutes.

ORGANS OR MELODEONS.

Exempt by State Statutes.

ORGANS, PIANOS AND PHONOGRAPHS.

Every person, firm, or corporation, engaged in thebusiness of selling, offering, or soliciting for sale, any of the articles hereinafter enumerated, shall pay for the privilege of conducting such business, a special license tax, per annum, as follows:

For pianos and/or graphophones, radios or radio accessories, victrolas, or other instruments using disc or cylinger records, and/or the sale of records for either or all of these instruments..... $ 5.00

For each traveling representative or agent for the sale of pians, and/or graphophones, radios, or radio accessories, victrolas, or other instruments using disc or cylinder records, and/or the sale of records for either or all of these instruments 5.00

ORGAN AND PIANO TUNERS OR REPAIRERS.

Organ or piano tuners or repairers, per annum..... 5.00
Itinerant, per annum..... 50.00

ORIENTAL GOODS-DEALERS IN.

Per annum..... 25.00

OSTEOPATHS.

Exempt by State Statutes.

OYSTERS AND FISH DEALERS.

See "Fish and Oyster Dealers".

"P"

PACKING HOUSES.

Every person, firm, or corporation, engaged in or operating a meat packing house, and every wholesale dealer in meat packing house products, who owns, leases, or rents and operates a cold storage warehouse in connection with such wholesale business, shall pay for each such packing house or cold storage warehouse, a license tax of, per annum..... 150.00

PAINTING CONTRACTORS.

See "Contractors".

PAINT DEALERS.

Every person, firm, or corporation, selling or distributing paint, calcimine, or similar products, shall pay a license tax of, per annum..... 25.00

PAPER OR PAPER PRODUCTS.

Every person, firm, or corporation, engaged in the sale or distribution of paper or paper products at where twenty per cent or more of their business is the sale or distribution of paper, shall pay a license tax of, per annum..... 50.00

PROVIDED, that where less than 20% of thebusiness is paper products, the license tax shall be..... 10.00

PARKING PLACES.

Every vacant lot used for a public parking place of profit, where other service is not rendered, shall be paid a license tax of, per annum..... 5.00

Where gasoline, oil or other service is rendered..... 12.50

PASTEURIZERS OF MILK.

Each establishment shall pay a license tax of, per annum..... 100.00

The foregoing tax is not collectible where creamery tax is paid.

PATENT RIGHTS AND FORMULA-DEALERS IN.

On every person, firm, or corporation, offering for sale any patent or formula, shall be paid a license tax of, per annum..... 10.00

PAVING, GRADING, SIDEWALK, SEWER, OR STORM SEWERS.

See "Contractors".

PAWN BROKERS.

See "Brokers, Pawn".

PEANUT AND POPCORN ROASTERS.

Every person, engaged in the business of operating any peanut or popcorn roaster or stand, shall pay a license tax of, per annum..... $ 1.00

PROVIDED, that when peanut or popcorn roaster or stand is operated in connection with some other business, the license tax shall only be, per annum..... 1.00

PEDDLERS OF BOOKS.

See "Book Agents".

PEDDLERS- GENERAL.

See "Goods, Wares, and Merchandise".

PEDDLERS OR VENDORS OF MEDICINE.

See "Goods, Wares, and Merchandise".

PEDDLING.

See "Goods, Wares, and Merchandise", also "Fruits and Produce".

PEDDLING OF FISH.

PROHIBITED.

PENNY ARCADES OR PARLORS.

See "Arcades".

PEPSI-COLA BOTTLING WORKS.

See "Bottling Works".

PERFUMES AND TOILET ARTICLES, COMPACTS, LIPSTICKS, ETC.

Every person, firm, or corporation, selling perfume, cologne, toilet water, bath salts, compacts, lip sticks, or other toilet articles, shall pay a license tax of, per annum.....
PROVIDED, where the gross sales are less than $500.00 annually, the tax shall be..... 5.00

PET SHOPS.

Every person, firm, or corporation, operating a [illegible] or place of business where pets such as dogs, monkeys, cats, birds, fish, white mice, and/or other pets by whatsoever name called, are sold, shall pay a license tax of, per annum..... 25.00

PHONOGRAPHS.

See "Organs".

PHOTOGRAPHERS.

Every person, firm, or corporation engaged in the business of taking pictures, any agent for any photographer in transmitting negatives or photographs to be copied, enlarged or colored, shall pay a license tax of, per annum..... 25.00

NOT PRORATED.

PHOTOSTAT DEALERS.

Every person, firm, or corporation, making photostatic copies for sale, or engaged in the business of making photostatic copies for sale, shall pay a license tax, per annum, of..... 25.00

PHRENOLOGISTS.

Per annum..... 50.00

PROVIDED, that each phrenologist [illegible] of the 1935 Revenue Act.

PHYSICIANS.

Exempt by State Statutes.

PIANO OR ORGAN REPAIRERS OR TUNERS.

See "Organ Repairers or Tuners".

POWER, GAS, AND ELECTRIC LIGHT COMPANIES.

See "Electric Light Companies".

PRESSING CLUBS, DRY CLEANING PLANTS, AND HAT BLOCKING.

Every person, firm, or corporation, engaged in the business of pressing clothing, or cleaning any article of clothing, pressing it, cleaning it or both, for compensation, shall pay a license tax of, per annum, as follows:

(a) Where not more than [illegible] persons are employed.....
(b) Where more than [illegible] persons and not more than six persons are employed.....
(c) Where more than six persons are employed.....

For each cash and carry, or call office where no pressing is done.....

PRINTED ADVERTISEMENTS, DISTRIBUTING, ETC.

See "Advertising--Distributors of Samples".

PRINTING AGENTS.

See "Agents, not Specifically Taxed".

PRINTING ESTABLISHMENTS.

Every person, firm, or corporation, operating a printing establishment for hire, whether employing a helper or not, shall pay a license tax for each and every part time or full time employee, as follows:
Without bindery, employing one workman, or less.....
Without binders, employing two workmen, or less.....
Without bindery, employing more than two workmen, per annum.....
With bindery, per annum.....

PRODUCE AND FRUITS.

See "Fruits and Produce".

PROFESSIONAL ART-HEALING.

Exempt by State Statutes.

PROFESSIONAL LECTURES.

See "Lectures".

PUBLIC ANNOUNCEMENT OR ADVERTISEMENTS BY USE OF DRUGGISTS, ETC.

See "Advertising".

PUBLIC SERVICE AUTOMOBILES.

See "Motor Vehicles for Hire".

PUBLIC STENOGRAPHERS.

Every person, firm, or corporation, engaged in public stenography, shall pay a license tax, for each person employed, of, per annum.....

"Q"

QUARRY, ROCK.

(a) On each rock quarry, a license tax shall be paid of, per annum.....
(b) Every person, firm, or corporation, selling crushed, or building rock or quarry products in the City of Asheville, not having a quarry within the City of Asheville, and not having a quarry within the City of Asheville, shall pay a license tax of:
On each truck of two-ton capacity or less, per annum.....
On each truck of more than two-ton capacity, per annum.....

QUEENSWARE AND CHINA.

See "China and Queensware".

"R"

RACKS FOR KNIVES OR GAMES.

See "Cane Racks".

RADIO INSTRUMENTS OR RADIO INSTRUMENT ACCESSORIES.

See "Organs", etc.

[illegible], CAFE, OR TRAVELING MINSTREL SHOWS.

[illegible] engaged in the business of a traveling theatrical [illegible] knowing municipality company, giving exhibitions, or [illegible] not duly licensed as a theatre, regular [illegible] engaging in such business, shall pay a [illegible] day's exhibits or performances.

[illegible], or other mark of their own kinds, shall [illegible] ..... $ 2.00

[illegible] not charge more than a total of fifty cents for [illegible] reserved seat, and shall perform or exhibit continuously [illegible] week, shall be required to pay..... 25.00
[illegible] of $ 5.00 per week or any part thereof afterwards.

[illegible] holds an annual state-wide license, [illegible] of the 1935 Revenue Act, such company shall pay $20.00 [illegible].

[illegible] must be made in the same manner as herein required [illegible], and no [illegible] shall be given unless permit is granted.

[illegible] CANDY STORES.

"[illegible]".

[illegible], [illegible], who is engaged in the business of keeping in [illegible] for sale any of the articles or commodities hereinafter [illegible], per annum:

(a) Each [illegible]..... 50.00
(b) For [illegible], firearms, daggers, sling-shots, loaded canes, iron [illegible] or articles of like kind..... 200.00
(c) [illegible]..... 200.00

[illegible], corporation, each of such person, firm, or corporation dealing only in metallic [illegible], per annum..... 10.00

[illegible] NURSERIES.

Every person, firm, or corporation, selling evergreens or plants shall pay a tax, [illegible] 25.00

PROVIDED, if owner growing plants or evergreens in City or Buncombe County not [illegible] on streets, no tax shall be collected.

[illegible] OFFICES.

See "Electric Light Companies".

[illegible] PLANTS.

See "Electric Light Companies".

[illegible] SUPPLIES.

Every person, firm, or corporation, selling plumbing supplies, shall pay a license [illegible] 100.00

[illegible] the above license is paid, then the contractor's license

[illegible] TRUCKS.

"[illegible]".

[illegible] SHOPS.

See "Cleaning".

POOL TABLES.

See "Billiards".

POULTRY AND/OR EGGS.

Every person, firm, or corporation, buying or selling poultry and/or eggs, at wholesale, shall pay a license tax of, per annum..... 30.00

...employees.

...Veneers".

...Wagons.

..."Wagons, Equipments".

...

...in the City of Asheville, by whatsoever name called, ...ordinarily licensed or taxed in this ordinance, shall pay an annual ...as follows:

...	$ 5.00
...Workmen	10.00
...more	15.00

...Wrecking.

..."Contractors".

...Repair Shops.

...Repairing or Manufacturing Harness or Shoes.

..."Harness or Shoe Repairers".

...Rooms or Stands for Drinks or Dinners.

See "Drug Stores".

...Restaurants, Lunch Rooms, Hotel Dining Rooms, or Drug Stores.

(a) Every person, firm, or corporation, engaged in the business of operating a restaurant, cafe, cafeteria, hotel with dining service on the European Plan, drug store, or other place where prepared food is sold, shall pay an annual license tax based on the number of persons provided for with chairs, stools, or benches, and shall be 50¢ per person, with a minimum tax of..... 2.50

(b) All other persons or places where prepared food is sold as a business, and drug stores, soda fountains, lunch counters or stands or places where prepared sandwiches only are sold, shall pay an annual license tax of..... 3.75

...Riding Devices.

Every person, firm, or corporation, engaged in the operation of a merry-go-round, flying jenny, Ferris wheel, whip, tango swing, caterpillar, tumble-bug, ...bowling alleys, shooting gallery, skating rink, or other amusement devices of a like kind, or any place for other games or play with or without name (unless used solely and exclusively for private amusement and exercise), at a permanent licensed place, shall procure a special license for theprivilege of operating such objects of amusement, and shall pay for each object enumerated the following tax, per annum..... 25.00

...or Manufacturing.

...Mills.

...Shops.

Every person, firm, or corporation, buying or selling roots, herbs, or other ... license tax of, per annum..... 200.00

...Stores.

Every person, firm, or corporation, engaged in the exclusive business of manufacturing ... where 75 per cent of the business is derived from the ..., shall pay a license tax of, per annum 25.00

"S"

...Stocks.

Every person, firm or corporation buying, selling and/or dealing in bankrupt stocks of ... and materials of all kinds, shall pay a license tax of, per annum..... 400.00

PROVIDED, however, that if this tax is paid other classifications shall not apply.

SAMPLE ...ION DISTRIBUTORS, ETC.

See "Advertising".

SAND DEALERS, ...OFFICE.

Per annum..... 20.00

SANDWICHES AND LUNCHES--DRUG STORES.

Sandwiches, wholesale, per annum.....	$ 15.00
Sandwiches, retail, per annum.....	3.75

SCALE DEALERS.

Each dealer in, or agent for, shall pay a license tax of, per annum ...

SECOND-HAND AUTOMOBILE EQUIPMENT.

See "Automobile Equipment-Used Parts".

SECOND-HAND CLOTHING.

See "Clothing-Second-Hand".

SECURITY DEALERS.

(a) Every person, firm, or corporation, who or which is engaged in the business of dealing in securities as defined in Section 132 of the 1935 Revenue Act, or who or which maintains a place for or engages in the business of buying, selling or selling shares of stock in any corporations, bonds, or any other securities on commission or brokerage, shall pay for theprivilege of transacting such business, a license tax of, per annum 50.00

(b) PROVIDED, every dealer as defined herein, other than banks or trust companies, shall pay a license tax for the privilege of transacting such business at each office.

(c) If every such person, firm, or corporation, described in sub-section (a) hereof maintains and/or operates a leased or private wire and/or ticker service in connection with said business, the annual license tax on the private wire or ticker service shall be..... 50.00

SEED STORES.

Every person, firm, or corporation operating a seed store or shop selling or distributing any seeds, plants, bulbs, roots, Christmas trees, insecticides, gold fish, baby chicks, Canary birds, or other pets, dog supplies, shall pay a license tax of, per annum..... 5.00

SEEDS, PACKAGE OR BULK.

Every person, firm, or corporation or their agents selling, delivering or distributing seed, shall pay a license tax of each, per annum..... 15.00

SEWERS, GRADING, PAVING, SIDEWALKS, OR STORM SEWERS.

See "Contractors".

SEWER PIPE.

Every person, firm, or corporation, selling sewer pipe, shall pay a license tax, per annum, of..... 50.00

No tax collected hereunder where building material tax is collected or where electrical contractor, plumber, steam and gas fitter tax is collected.

(See "Electrical Contractors", etc.)

SEWING MACHINE AGENTS.

Exempt by State Statutes.

SHIPPING AND BUYING TELEPHONE POLES, CROSS-TIES, LOGS, OR SIMILAR ARTICLES.

See "Buying and Shipping of".

SHOP OF HARNESS MANUFACTURERS OR REPAIRS.

See "Harness Manufacturers".

SHOE SHINE PARLORS.

See "Bootblack Stands".

SHOE MERCHANTS.

Every person, firm, or corporation, selling shoes at retail, shall pay the following graduated tax on the annual gross sales:

Less than $2,000 annually	5.00
2,000 and less than 5,000.....	10.00
5,000 and less than 10,000	15.00
10,000 and less than 15,000.....	20.00
15,000 and less than 25,000.....	25.00
25,000 and less than 35,000	30.00
35,000 and less than 50,000.....	40.00
50,000 and less than 75,000.....	50.00
75,000 and over.....	75.00

SIDEWALKS, GRADING, PAVING, SEWERS, OR STORM SEWERS.

See "Contractors".

SIGN PAINTING.

On each sign painting contractor not employing any workmen, each, per annum $ 10.00
On each sign painting contractors employing two workmen or less 15.00
Two or five workmen 20.00
Five or more workmen 25.00
Itinerant contractors, per annum 100.00

SILVER PLATING, MANUFACTURING ESTABLISHMENTS, ETC.

See "Manufacturing".

SILVER PLATING.

Every person, firm, or corporation, engaged in the business of silver plating, shall pay a license tax of, per annum 25.00

SINGING BIRDS.

See "Fishing Tackle".

SKATING RINK EXHIBITIONS.

Prohibited.

SLOT MACHINES.

See "Machines, Slot".

SODA FOUNTAIN SYRUPS.

Every person, firm, or corporation, selling or distributing fruits, syrups, or other supplies used at a soda fountain, where fifty per cent of the gross sales or stock of such place consist of fruits, syrups, or other supplies used at a soda fountain, shall pay a license tax of, per annum 50.00

SOFT DRINK CUPS.

See "Paper Cups, Etc".

SOFT DRINKS--BOTTLED.

Every person, firm, or corporation, selling bottled soft drinks, a license tax of, per annum 2.50

SOFT DRINKS--DISPENSED FROM COOLERS.

See "Bottling".

SOFTENING.

See "Bottling", also "Bottling Companies".

SOUVENIR CAPS.

See "Gift and Souvenir Shops".

SOUVENIRS--TOYS AND NOVELTIES.

See "Peddlers".

SPECIMEN MOUNTING

See "Taxidermists".

SPECIMENS OF ART OR CRAFT.

See "Gifts, Novelties, Souvenirs and Art Objects".

STAMPS, TRADING.

See "Trading Stamps".

STAMPS, POSTAGE

See "Postage Stamps".

STANDS, FOOTBLACK.

See "Bootblack Stands".

STANDS, FRUIT.

See "Fruit Stands".

STANDS, LEMONADE--PUBLIC OCCASIONS.

See "Lemonade Stands".

STAR COURSES.

See "Chautauquas".

STATIONS, GASOLINE OR AUTO CLEANING.

See "Automobile Service Stations".

STEAM SHOVELS.

On each and every steam, gas, or motor driven shovel used in the City of Asheville, a license tax shall be paid of, per annum $ 25.00

NOT PRORATED.

STEAM AND GAS FITTERS.

See "Electrical Contractors", etc.

STENOGRAPHERS, PUBLIC

See "Public Stenographers".

STOCK BROKERS.

See "Brokers, Stock".

STOCK YARDS OR PENS.

Every person, firm, or corporation, operating or maintaining a yard or pen where live stock is loaded, unloaded, fed, or watered, shall pay on each yard or pen, a license tax of, per annum 250.00

PROVIDED, that any person, firm, or corporation, conducting a live stock exchange or market, or engaging in thebusiness of purchasing and re-selling live stock at auction or otherwise, and/or receiving and shipping live stock, shall pay, on each yard, a license tax of, per annum 75.00

PROVIDED, further, that the provisions of this tax shall not be collected from packing houses, operating or maintaining a stock yard or pen, who have paid the prescribed tax on packing houses.

STOCK AND MERCHANDISE BROKERS.

See "Brokers, Merchandise and Stock".

STORAGE OR TRANSFER WAREHOUSE.

Where a charge is made for storage service, other than cold storage, a license tax shall be paid, of, per annum 50.00

STORM SEWERS, GRADING, PAVING, SIDEWALKS AND SEWERS.

See "Contractors".

STOVES, RANGES--INSTALLATION.

Every person, firm, or corporation, selling or offering for sale stoves, ranges, gas, or other water heaters, where same is connected with the water system of the City of Asheville, shall pay a license tax of, per annum 25.00

It shall be unlawful for any person, firm, or corporation, to install ranges, stoves, gas or other water heater where the same is connected with the water system of the City of Asheville, unless such installation is made by a plumber licensed under the provisions of the plumbing ordinance.

SUGAR.

See "Tea, Coffee and Sugar".

SUPPLIES FOR TYPEWRITER MACHINE.

Agents or dealers in supplies for typewriter machines, shall pay a license tax of, per annum 25.00

SURGEONS--VETERINARY.

Exempt by State Statutes.

SWITCHBACK, RAILROADS OR ROLLER COASTERS.

See "Riding Devices".

SYRUP, TABLE

Every person, firm, or corporation, manufacturing table syrup, shall pay as a license tax of, per annum:

Where employing one person 10.00
Where employing two persons 15.00
Where employing more than two persons 25.00

"T"

TAILORS, WOMEN'S.

See "Women's Garments, Tailored".

TAKING MACHINES.

See "Typewriters, Stenographic and Accounting Machines".

TAXICABS.

Every $150.00

TEA, COFFEE AND SUGAR.

Every person, firm, or corporation, engaged in the business of selling tea, coffee, ... in which business is derived from the sale of tea, coffee and sugar, ... license tax of, per annum..... 25.00

TELEGRAPH COMPANIES.

Every ..., firm, or corporation, domestic or foreign, engaged in operating the ... communication by telegraph within the corporate limits of the City ... license tax of, per annum..... 50.00

TELEPHONE DIRECTORIES.

Every ..., firm, or corporation, selling advertising space in telephone directori... license tax of, per annum..... 100.00

TELEPHONE COMPANIES.

Every ..., firm, or corporation, domestic or foreign, engaged in operating the ... communication by telephone within the corporate limits of the City ..., shall pay an annual license tax of 1.44% of its gross receipts, payable ..., for each business, as of December 1st, and May 31st, of each tax year.

TENTS AND AWNINGS.

See "Awnings".

THEATRES.

On every floor or hall used as a theatre or opera house, other than moving picture ..., where admission or performances are given for profit, shall be paid a license tax, per annum..... 212.50

... may be charged for fortune tellers, clairvoyants and similar ... entertainment in theatres.

THEATRES, MOVING PICTURES OR TRAVELING VAUDEVILLE.

See "Pictures, Traveling".

THEATRICAL EXHIBITIONS.

See "Pictures, Traveling".

TILE LAYERS.

Every ..., firm, or corporation, engaged in thebusiness of setting tile, shall pay ..., per annum..... 10.00

TIN AND SHEET METAL WORKING ESTABLISHMENTS.

See "Sheet Metal Construction Companies".

TIRE CHAINS.

See "Automobile Supplies Stations".

TITLE COMPANIES.

Every person, firm, or corporation, engaged in the business of guaranteeing or insu... title, ..., per annum..... 25.00

TOBACCO, CIGARETTES, ETC.

See "Cigars, Cigarettes", etc.

TOBACCO WAREHOUSES.

Every ..., firm, or corporation, engaged in the business of operating a warehous... the sale of leaf tobacco, ... commission and occupying a flor space of more than fifteen ... thousand square feet, shall pay a license tax of, per annum, for each warehouse 50.00

With less than ... license tax of, per annum, for each ... feet of floor space per annum, ... 25.00

TOT PROBATE.

TOILET ARTICLES.

See "Perfumes", etc.

TOILET ARTICLES--PERFUMES, ETC.

See "Goods, Wares ...".

TOMBSTONES AND MARBLE ...

See "Monuments".

TOURIST CAMPS.

See "Boarding Houses".

TOYS.

Every person, firm, ..., selling ..., shall ... license tax of, per .....

TRADE SHOPS.

See "Printing Establishments".

TRADING STAMPS, DEVICES, ETC.

See "Devices".

TRANSFER COMPANIES.

See "Drays".

TRANSFER AND STORAGE WAREHOUSES.

See "Storage Warehouses".

TRAVEL BUREAUS OR AGENCIES.

Every person, firm, or corporation, engaged in ... transportation bureau or agency, shall pay an annual lic... of ...

PROVIDED, this shall not apply to any agency ... not for profit.

TRAVELING CIRCUSES.

See "Circuses".

TRAVELING THEATRICAL OR MOVING PICTURE COMPANIES.

See "Pictures, Traveling".

TUNING OR REPAIRING ORGANS AND PIANOS.

See "Organ and Piano Tuners".

"U"

UNDERTAKERS.

See "Caskets and Coffins".

UMBRELLA REPAIRERS.

Every person engaged in the business of ... tax as follows:

If not more than ... is employed, ...
If more than ... employed, ...

UPHOLSTERING.

Every person, firm, or corporation, ... furniture, shall pay a license tax of, per ...

PROVIDED, this tax shall not be collected ... tax on furniture stores.

USED PARTS--AUTOMOBILE ...

See "Automobile ..., Used Parts".

"V"

[illegible], [illegible] "[illegible] CONTRACTORS", ETC.

See "[illegible]", also "[illegible]".

[illegible] R [illegible].

[illegible] "[illegible]".

[illegible].

[illegible].

[illegible].

[illegible] "[illegible]", [illegible].

[illegible].

[illegible] "[illegible]".

"W"

[illegible] WITH ADVERTISING SIGNS.

See "[illegible]".

[illegible] SIGNS.

Every [illegible], firm, or corporation, delegating someone to walk about the [illegible] of advertising a sign or signs, shall pay a license
[illegible]..... $ 2.00
[illegible]..... 5.00

[illegible].

[illegible].

Every [illegible], firm, or corporation, selling or offering for sale, sliced
[illegible], shall pay a license tax of, per annum..... 10.00

[illegible].

The foregoing [illegible] shall not be collected from restaurants or drug stores who have
[illegible], and all such [illegible] shall be subject to ordinances applicable to food
[illegible].

"[illegible]".

[illegible].

Every [illegible], firm, or corporation, who makes repairs on anything by welding, shall
[illegible], per annum..... 25.00

"[illegible]".

[illegible].

"[illegible]".

[illegible].

Every [illegible], firm, or corporation, engaged in the business of washing windows,
[illegible] only, shall pay a license tax of, per annum:
[illegible]..... 10.00
[illegible]..... 20.00
[illegible] persons..... 30.00

"WOOD, [illegible]".

(a) Every [illegible], firm, or corporation, selling wood for fuel purposes, shall pay a
license [illegible], per annum..... 5.00

(b) Every [illegible], firm, or corporation, selling chemical kindling, shall pay a
license [illegible], per annum..... 50.00

"WOOD [illegible]".

See [illegible], per annum..... 25.00
[illegible], per annum..... 5.00

"WOOLEN MILLS.

Every [illegible], firm, or corporation, operating a mill manufacturing woolen cloth,
shall pay a license [illegible], per annum..... 100.00

"[illegible] AND [illegible]".
See "[illegible]".

"V"

[illegible].

Every person, firm, or corporation, [illegible], shall pay a license tax of, per annum..... [illegible]

"[illegible]"

ALL BUSINESSES, TRADES, PROFESSIONS, CALLINGS, OCCUPATIONS, OR [illegible] FOR PROFIT OR GAIN, NOT [illegible].

Per annum.....
Per quarter.....
Per month.....
Per day.....

Section 16.

Any person who shall willfully make any false statement in [illegible] under any section of this ordinance or [illegible], shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a penalty of fifty ($50.00) dollars.

Section 17.

That all ordinances or parts of ordinances in conflict with [illegible] repealed; provided, that such repeal shall in no way affect [illegible] for the collection of any tax or penalty heretofore levied or [illegible] for taxes heretofore made, or any right accrued or any [illegible] penalty.

I move the adoption of the foregoing ordinance, [illegible].

SECONDED BY:

Read, approved, and adopted by the Council on first [illegible] with 5 members of the Council voting "aye"; [illegible] second reading, 27th day of June, 1935, with 7 members of the Council [illegible] and upon its third reading approved and adopted on 3rd day of July, 1935, with 6 members of the Council present voting "aye".
This ordinance shall become effective [illegible].

[illegible]

APPROVED AS TO FORM:

[illegible] C. Cooke Jr.

ASST. CORPORATION COUNSEL.

[illegible], adjourned.

[illegible]
Mayor

Thursday, July 11, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen [illegible], Vanne Carland, J. F. Divelbiss Jr., Robert E. Shuford, [illegible] and R. M. Wells, City Manager, P. M. Burdette, Corporation [illegible], Assistant Corporation Counsel, Philip C. Cocke Jr.

The minutes of the previous meeting were read and approved.

Mr. Thad W. Rhyne, Attorney for E. P. Gilkey, filed petition requesting the City Council to direct the tax collector to make off from the records taxes for the year [illegible] erroneously owed to the Town of Biltmore, on property at 2 and 4 [illegible].

The petition was on motion of Councilman Divelbiss, seconded by Councilman [illegible], unanimously ordered referred to the Corporation Counsel for investigation and report.

The request of Welcome to Asheville, Inc., for permission to use the Memorial Auditorium for the Home show to be held in Asheville on August 9 and 10, was on motion of Councilman Vanne, seconded by Councilman Carland referred to the City Manager and the City Engineer with power to act.

Mr. Marvin J. Crawford filed written request to the Council to grant free [illegible] to all churches and fraternal organization that own their buildings in the City, [illegible] the Mary Asheville Baptist Church and the Masonic Temple Co.

A motion of Councilman Bryson, seconded by Councilman Shuford that this matter be referred to the City Manager with power to act, carried unanimously.

The request of Mr. L. P. Rogers that the Revenue Ordinance be modified to [illegible] the privilege taxes on feed stores was on motion of Councilman Weaver, seconded by Councilman Vanne referred to Councilmen Bryson and Carland, the City Manager and [illegible] Counsel for recommendation.

Notice of claim of Arrie Williamson for damages as a result of personal injuries sustained by stepping into a hole on Eagle Street was presented by Pritchard & James, Attorneys, and on motion of Councilman Shuford, seconded by Councilman Carland, referred to Corporation Counsel.

STATE OF NORTH CAROLINA :
COUNTY OF BUNCOMBE :

NOTICE OF CLAIM

TO THE CITY COUNCIL OF THE CITY OF ASHEVILLE:
GREETING:

[illegible], Arrie Williams, hereby files her claim for damages as [illegible] personal injuries sustained by reason of the carelessness and [illegible] the City of Asheville, in failing to keep its concrete sidewalk [illegible] of Eagle Street at a point where the same intersects [illegible] between the theatre and Valley Street in repair and in [illegible] hole and dangerous notch or jag to remain the traveled [illegible] and having any red light, barricade or other signal to [illegible] plans the dangers ahead, and as a result of the afore- [illegible], this claimant, while walking on said sidewalk in a care- [illegible] manner in the direction of Valley Street at about 10 o'clock [illegible] 15th day of June, 1935, and without any information [illegible] defects existed, stepped into said hole and was thrown [illegible] pavement and as a result of said fall sustained a broken [illegible] injuries to her side and body, to her damage in the amount of [illegible] amount she hereby files her claim.

This the [illegible] day of July, 1935.

W. G. Hamilton
Attorney for Claimant,
Arrie Williamson.
Pritchard & James.

The request of Mr. F. A. Johnson for [illegible] assessments against property on State Street and Madison Avenue, was on motion of Councilman Bryson, seconded by Councilman Carland, referred to the City Manager and Councilman Shuford for investigation and recommendation.

The complaint of Mr. M. S. Wallace, [illegible] motorcycles on Charlotte Street was on motion of Councilman [illegible], referred to the City Manager to confer with the Police Department.

E. W. Pearson, [illegible] of the Buncombe County Colored Agricultural Fair appeared before the Council and requested [illegible] on endorsement to be sent from the Council to the State [illegible] exemption of state tax.

A motion of Councilman Divelbiss, seconded by Councilman Weaver, [illegible] request be granted, carried.

[illegible]

Report of committee of Council regarding [illegible] marking of streets, zoning of city, and changing [illegible] on motion of Councilman Vanne, seconded by Councilman Carland, [illegible]. Copy of report follows.

REPORT OF COMMITTEE OF COUNCIL REGARDING [illegible] OF MR. F. E. ELLER FOR MARKING OF STREETS, ZONING OF CITY, AND CHANGING [illegible] OF CITY RECORDS

Your committee has given careful [illegible] petition of Mr. F. E. Eller, and wish to commend the [illegible] efforts in unselfishly attempting by his [illegible] problem in Asheville.

We have recommended an immediate [illegible] find that this work is now in progress.

We recommend that the City Manager, [illegible] have markers showing east, west, north and south [illegible] main centers of traffic in order that [illegible] may be directed by them.

We do not recommend that the [illegible] zoning purposes, as it is apparent [illegible] direction of interlopers, even by legal [illegible] changing and making of public records.

We do not recommend that [illegible] the topography of the city and the nature [illegible] make this practicable of application.

Respectfully submitted,
J. C. Vanne
[illegible]
[illegible]

July 11, 1935.

[illegible]

A report from the Director of Public Works, [illegible] attempting to rid the city of mosquitoes and weeds [illegible].

[illegible]

A bill for services rendered by Mr. [illegible] the Bondholders Committee and the Noteholders Committee [illegible] Court in the amount of $2,[illegible].00 was presented and [illegible] seconded by Councilman Shuford referred to the Finance Committee, Councilmen [illegible] to be named later, for investigation and report.

[illegible]

City Manager, P. M. Burdette, reported the need of a [illegible] Roxaway Street to serve eleven houses abutting upon the street, [illegible] $210.00 be placed in the budget to take care of material [illegible] this sewer.

Councilman Bryson moved, seconded by Councilman Vanne, [illegible] accepted and adopted. This motion carried.

...seconded by Councilman J. C. Vance, seconded by Councilman Eugene Carland, ... Mayor to execute quit-claim deeds to property acquired by ... by foreclosure suit (bid in by R. E. Shuford) was unanimously ...

...AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEEDS ... BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville ... property was sold by the City of Asheville, ... by the City of Asheville by tax foreclosure suit ... for the years 1927 and 1928; and

WHEREAS, notice of said sale appeared once a week for four ... in the Asheville Times newspaper, after which the sale was ... at the court house door and bid in as follows:

NAME	LOTS	SHEETS	WARDS	BID IN BY
... M. Morris and wife ... Morris, ... Dills, ... Mabry ...	49	8	2	R. E. Shuford
...	44	3	5	R. E. Shuford

WHEREAS, it appears that the above property was not bid in at the ... listed owners, but it also appears that the tax department of the ... Asheville notified said listed owners by registered letters, said ... notifying the listed owners that the public sale was con- ... and that the property was bid in as shown above, ... the listed owners to appear in the office of the tax collector ... objection to said sale; and

WHEREAS, said notices were mailed to the listed owners on June 3, ... and receipts were signed by said listed owners and returned to ... except the notice to the Logan Motor Co., which letter ... the post office department to the tax department of the City ... marked "Unclaimed from Asheville, N. C.", "Unknown"; and

WHEREAS, the required thirty days have expired and the said listed ... filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the ... properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY ...:

That the Mayor of the City of Asheville be and he is hereby ... authorized to execute quit-claim deeds to the property listed ..., which deeds are to be made to the bidder as shown above, who was the ... bidder at the sale held on June 3, 1935, which deeds are to be ... by the Tax Collector of the City of Asheville who will deliver ... to the bidder upon payment of the taxes above referred to, together ... and advertising, which amounts are set forth in the deeds, together ... all rights of the property for taxes for the years in which the title ... City of Asheville.

... the adoption of the foregoing resolution.

J. C. Vance
COUNCILMAN

...seconded by:

Eugene Carland
COUNCILMAN

... approved and adopted, this 11th day of July, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

...FORM:

...

	LOTS	SHEETS	WARDS	BID IN BY
W. . "	8	16	5	Board of Finance Control
D. S. Ar	214	5	1	"
Herman T. C	356 & 358	6	4	"
W. Will	105	15	4	"
. P. Wat	27 & 28	3	5	"
. P. Wat	152 & 153	3	5	"
Miss Eli ".Crosland	57 & 59	15	6	"
. B. Bla	16 & 38	15	6	"
W. T. B	17, 56, 87 & 89	15	6	"

, it appears that the above property was not bid in at the sa , but it also appears that the tax department of the City sent out said listed owners by registered letters, said registered listed owners that the public sale was conducted on the property was bid in as shown above, and requesting the office of the tax collector and file any objec ; and

, said notices were mailed to the listed owners on May 30, 19 receipts were signed by said listed owners and returned to the tax tice of Miss Eliza H. Crosland, which letter was re- office department to the tax department of the City of Ashe "Not in Director", "Unknown" "Unclaimed from Asheville, N. C."; a

, the required thirty days have expired and the said listed not filed any objection to the sale; and

, it appears from a report of the tax collector that the abov properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF :

That the Mayor of the City of Asheville be and he is hereby authoriz to execute quit-claim deeds to the property listed above, said to the bidder as shown above, who was the highest bidder at May 27, 1935, which deeds are to be turned over to the Tax Colle City of Asheville who will deliver the same to the bidder upon payment referred to, together with cost of advertising, which amount from the deeds, together with the listing of the property for taxe to which the title was vested in the City of Asheville.

I hereby [illegible] foregoing resolution.

Eugene Carland
COUNCILMAN

Jacob F. Weaver
COUNCILMAN

, passed and adopted, this 11th day of July, 1935

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

:
.
.

Councilman Bryson, seconded by Councilman Vance, a committee com and Weaver were appointed to investigate the feasibility and West Chestnut Streets, through streets or boulevards, and make a .

, carried.

R. M. Wells
Mayor

E. G. Thompson
City Clerk

July 11, 1935 373

The City C met in regular session; M Councilmen Eugene Carl J. F. Dix , Weaver and R. M. Wells, C Manager, C. M. C. W. Bailie C. Cocke, Jr.

An ordinance of Barbering and Barber to the City ation of Councilm Carl, seconded by C Corporation Counsel for ment.

A communi read from Johnson for of Hall on of State Street and Mi Avenue. Mr. C and recommended that of the

A motion of C Vance, adopted, carried.

Mr. Cocke re tion on his investi attorney for E. P. Gilkey to cancel taxes on pr Biltmore, that the Tax Collector advised that

Councilman Sh ford moved, seconded refused. This motion carried.

Mr. Burdette r ted in regard to petition for Sand Hill Road, West Asheville, that the Commissioners put on the extension service for a trial period to be made permanent.

Mr. Burdette presenting on the request of Mr. be furnished to all churches, charitable and fraternal the request can be granted at this time on account of the diminished revenue that the City is now receiving.

Mayor Wells appointed Councilmen Bryson, Vance and Weaver a committee of sanitary inspection of sanitary condition of and the request for addition officer improvements to the Council.

Mayor Wells with City Manager, P. M. to ascertain if the building would be required, Street.

On motion, adjourned.

R. M. Wells
Mayor

1925.

[illegible] CITY COUNCIL OF THE CITY OF

[illegible] F. Divelbiss, Jr.
COUNCILMAN

[illegible] C. Vance
COUNCILMAN

[illegible] July, 1925.

[illegible] W. Wells
MAYOR

[illegible]
CITY CLERK

[illegible]

[illegible] Weaver, Vance and Garland a committee [illegible] the members of the Asheville

[illegible]

[illegible]
City Clerk

[illegible] August 1, 1925 [illegible] P. M.

[illegible] Mayor Wells presiding. Present: [illegible] Councilmen J. C. Vance, J. F. Divelbiss, Jr., Edward E. Shuford, and R. W. Wells, City Manager, C. A. Douglass and [illegible] members of the press.

[illegible] for Joseph L. Autry, filed notice of claim for [illegible] of the City of Asheville and its citizens in [illegible] Wachtel, et al, in the amount of $4,000.00, [illegible] Council in the City Hall for

IN THE SUPERIOR COURT

IN RE: CLAIM OF JOSEPH L. AUTRY

[illegible]
vs.
THE CITY
[illegible]
DEFENDANT.

[illegible] June 13th, 1925, a claim was filed by [illegible] of the alleged injuries, [illegible] between the above parties.

[illegible] claimant knows there has been no consideration of [illegible]

[illegible]

[illegible]

[illegible] Supreme Court [illegible]

[illegible] January [illegible], 1925.

[illegible]

[illegible]

[illegible] Councilman Cleveland [illegible] Ordinance No. 221, entitled An ordinance [illegible] the profession of barbering [illegible] City of Asheville, [illegible] motion of Councilman J. C. Vance, [illegible] passed on the first reading.

[illegible] motion of Councilman Cleveland, [illegible] suspended and the ordinance placed upon its [illegible] was carried unanimously.

Councilman Divelbiss [illegible] the adoption of the ordinance, [illegible] Councilman Cleveland [illegible] motion, and the ordinance was passed on its second reading unanimously.

The ordinance was then placed on its third reading; Councilman Cleveland moved its adoption, Councilman Divelbiss seconded the motion, and the ordinance was carried unanimously on the third reading.

ORDINANCE # 221

AN ORDINANCE APPOINTING A COMMISSION TO EXAMINE AND SUPERVISE THE PROFESSION OF BARBERING AND BARBER SHOPS IN THE CITY OF ASHEVILLE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That S. E. Horton, R. D. Cole and H. A. Cheek are hereby appointed for a period of two years, to be known as the Barber's Commission, to supervise, regulate and prescribe rules for barber shops in the City of Asheville, and S. E. Horton is hereby named Chairman of said Commission. S. E. Horton in the representative from the Master Barbers Association, R. D. Cole is the representative from the Barbers Local Union and H. A. Cheek is the representative from the Non-Union Barbers, and in case of a vacancy on said Commission before the expiration of two years, their respective organizations shall be required to fill said vacancy by a majority vote. No one shall hereafter be named on this Commission who has not had five years experience in barbering in the City of Asheville, and at the expiration of two years, the above organizations shall be required to elect a Commission with a representative from each respective organization.

Section 1. Definitions: The following words and phrases when used in this ordinance shall be construed as follows:

(a) "Barber" means any person who performs any one or combination of the following practices for the compensation, gain or profit of himself or another: shaving or trimming the beard or cutting the hair for cosmetic purposes and not for the treatment of disease or mental ailments and when done for payment, or in the hope of payment, or offered as a payment for the public generally;

(b) "Barber shop" means any place where the practice of barbering is engaged in or carried on by one or more barbers, whether by land or reciprocal relationship, or where the business of barbering is solicited, or where the barber or employing barber's tools or implements are used or kept, or where shaving, hair cutting, hair bobbing, hair dressing, massage, oils, creams or lotions or other preparations are administered to the face or body.

(c) "Barber shop" means any room or place where one or more barbers are employed in the practice of barbering or any combination of practices mentioned in Section 1-(a) hereof.

(d) "Barber School" means any place where any building or part thereof where barbering is taught, practiced or conducted.

Section 2. Registration required; penalty for violation:

(a) From and after the 10th day of August, A. D., 1925, it shall be unlawful for any person in the City of Asheville, North Carolina, to engage in or follow the business or occupation of barbering in any barber shop in said City of Asheville unless he shall first obtain a certificate of registration as a barber from the Commission named in this ordinance.

(b) From and after the 10th day of August A. D., 1925, it shall be unlawful for any person to operate in the City of Asheville, North Carolina, any barber shop unless the same be under the direct supervision and management of a barber who has obtained a certificate of registration as a barber from the Commission named in this ordinance. The City of Asheville shall issue licenses for the conduct of barber shops only after it has been fully satisfied that the provisions of this ordinance with reference thereto have been complied with and barbers are employed therein employed.

(c) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in Section 11 of this ordinance.

Section 3. Application for Certificate of Registration.

Any person desiring to obtain a certificate of registration as a barber shall make application therefor to the Commission named in this ordinance. Such application shall be in writing, signed by the applicant, and shall state the name, age, residence and length of time he has resided in the City of Asheville, and shall state whether he has ever had a certificate of registration as a barber revoked, and if so, the reasons therefor. Such application shall be accompanied by the certificate of a physician practicing in the City of Asheville, as to the health of the applicant, and shall be accompanied by the affidavit of two reputable citizens of the City of Asheville, as to the good moral character of the applicant. Such application shall be made on a form to be furnished by the Commission.

Section 4. Examination of Applicants.

(a) The Commission shall examine each applicant for a certificate of registration as a barber as to his qualifications to practice barbering. Such examination shall be confined to the subjects of sanitation, hygiene, bacteriology, and the scientific and practical parts of barbering. Such examination shall be conducted in the City of Asheville at such time and place as the Commission may designate.

(b) The Commission shall prepare questions for the examination of applicants for certificates of registration as barbers, which questions shall be uniform as to all applicants for the same certificate. The Commission shall keep a record of the number of applicants examined, the name and address of each applicant, the date of the application of each applicant, and whether the certificate was granted or refused. Such record shall be open to public inspection at all reasonable times.

(c) The Commission shall grant to the City Council of the City of Asheville a certificate of registration as a barber to any applicant who has successfully passed the examination provided for in this ordinance, and who shall have paid the fee provided for in this ordinance.

Section 5. Issuance of Certificates of Registration.

Every certificate of registration issued as herein provided for shall be signed by the Commission and shall be attested by the City Clerk of the City of Asheville, and shall be issued to the applicant only after he has been examined as herein provided for, and has paid the fee provided for in this ordinance.

Section 6. Display of Certificate.

Every barber shall display his certificate of registration in a conspicuous place in the barber shop in which he is employed.

Section 7. Renewal of Certificates of Registration.

Every certificate of registration issued as herein provided shall expire on the 10th day of August of each year, and may be renewed annually upon the payment of the fee provided for in this ordinance, and upon the presentation of a certificate of a physician practicing in the City of Asheville, as to the health of the applicant, and upon the presentation of the affidavit of two reputable citizens of the City of Asheville as to the good moral character of the applicant.

Section 8. Posting Rules and Prices.

There shall be posted in a conspicuous place in every barber shop in the City of Asheville a printed list of prices charged for each service rendered in such barber shop in the City of Asheville.

Section 9. Conduct of Barber Shops.

It shall be unlawful for any person operating a barber shop in the City of Asheville, or employed therein as a barber, to conduct such barber shop in the City of Asheville in any manner other than the following rules and regulations:

THE FOLLOWING REGULATIONS SHALL BE OBSERVED BY EVERY BARBER SHOP, AND BARBER SHOPS:

1. No [illegible]

2. No [illegible]

3. No [illegible]

4. No [illegible]

5. No [illegible]

6. No [illegible]

7. No [illegible]

8. All [illegible]

9. No [illegible]

10. No [illegible]

11. No [illegible]

12. No barber shall [illegible]

[illegible]

[illegible] provided with adequate [illegible]
[illegible] thereof, or textiles, articles [illegible]
[illegible] City Physician.

[illegible] lighting at not [illegible] foot candles [illegible]

[illegible] which is called partition zone [illegible]
[illegible] barber shop from such other business [illegible]
[illegible] to be erected to the shop. Said wall [illegible]
[illegible] at its present location before [illegible]

[illegible] provided in each barber shop, both [illegible]
[illegible] to be reported to any authorized [illegible]

[illegible] would the patron's name and that the [illegible]
[illegible] at with the name.

[illegible] operation of all barber shops, barber schools [illegible]
[illegible] to assist in carrying out these [illegible]
[illegible] to the Health Department any violation [illegible]
[illegible] setting the excused persons name and [illegible]
[illegible] thereof the reason.

[illegible] firm, or corporation shall be entitled to [illegible]
[illegible] without first obtaining a permit from the [illegible]
[illegible] and regulations set forth [illegible]
[illegible] prescribed by the Commission from [illegible]

[illegible] entirely and properly lighted and ventilated, [illegible]

[illegible] shall be allowed use in barber shops.

[illegible] allowed on pool tables or in mush bowls.

[illegible] in charge of any barber shop shall post a [illegible]
[illegible] in the establishment.

[illegible] firm or corporation who shall violate any provision [illegible]
[illegible] conviction, be fined not more than fifty ($50) [illegible]
[illegible].

[illegible] for said ordinance, this the 1st day of August

J. C. Vance
COUNCILMAN

ATTEST:

Jacob F. Weaver
COUNCILMAN

R. M. Wells
MAYOR

P. G. Bryson
CITY CLERK

[illegible] Mayor to execute quit-claim deeds (Dowdens Realty Co [illegible]
[illegible] Councilman Holmes Bryson, seconded by Councilman J. F. [illegible]

[illegible] the Mayor to execute quit-claim deeds.

[illegible] City as lapsed through tax foreclosure proceedings [illegible]
[illegible] certain pieces of property for the year 1928; and [illegible]

[illegible] General Assembly of North Carolina at its 1925 session [illegible]
[illegible] Bill; and

[illegible] Section 4½ of said tax relief bill, being House Bill 707 [illegible]
[illegible] gives any governmental unit which has obtained title [illegible]
[illegible] power and authority to reconvey to the original owner [illegible]
[illegible] amount of the taxes, plus 6% interest and $6.00 costs, [illegible]
[illegible] time; and

[illegible] 1925.

[illegible] 138 inc.
[illegible] 127
[illegible] 201 inc.

1319 " " " 140 to [illegible] 12 [illegible] "
177 inc.

1320 " " " 114 to [illegible] 12 [illegible] "
130 inc.

1321 " " " 52 to 56 12 [illegible] "
inc.;
to 99 inc.
101 to 112
inc., and 3

[illegible] Mayor, duly [illegible] by the City Council, and [illegible]
ATTEST:

[illegible] the Mayor of the City of [illegible] and empowered to execute quit-claim deeds [illegible] out, all the right, title and interest [illegible] acquired from the purchase at the [illegible] recently from the City of [illegible]

[illegible]

[illegible]

[

Thursday, August 8, 1935-4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holms Bryson, Eugene Carland, Robert E. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette and Corporation Counsel, A. Hall Johnston. The minutes of the previous meeting were read and approved.

JAMES S. HOWELL--

James S. Howell, Attorney, filed notice of claim in the amount of $350.00 for professional services rendered in connection with suit entitled "Henry W. George et al, vs, City of Asheville, et al, which was ordered referred to the City Manager and the Corporation Counsel.

August 8, 1935

To the Honorable Mayor and City Council
for the City of Asheville,
Asheville, North Carolina.

Gentlemen:

I hereby present my claim to the lawful municipal authorities, of the City of Asheville, for professional services rendered in connection with that certain litigation, entitled "Henry W. George et al, -vs- City of Asheville, et al," with the specific request that the claim be audited and allowed.

The undersigned was retained and employed in the above entitled action by the then lawful authorities, composed of the City Council and the City Manager. A fee was agreed upon and contract duly entered into covering all services to be rendered, but before the litigation had proceeded to the point of trial, negotiations between the plaintiffs and defendants were instituted and were consummated in a judgment of nonsuit, and considering the distressful, financial condition of the municipality, I am only filing a claim for approximately ten per centum of the amount contracted to be paid to me for my portion of services rendered in this cause.

Respectfully yours,
James S. Howell

JSH:M

August 3, 1935

City of Asheville,
Asheville, N. C.
-To-
James S. Howell, Dr.

To professional services, in re:
Case in Federal Court entitled, "Henry W. George et al -vs-City of Asheville, et al,"
11 conferences with City Council and Mnager (3 covering all of two days and portion of two nights); preparation of preliminary trial brief; study of documentary evidence embracing 785 typewritten pages of records of City of Asheville with reference to subject matter involved in the suit; preparation and filing in conference with associate counsel, answer for defendant, City, and the then Councilmen, Wamboldt, West II, Boyd, Brookshire, Crow, and Miller; preparation in association with associated counsel, two petitions for defendant, then Councilman Rainey, in preparation of his answer; appearance in Federal Court on motion to dismiss----------$350.00

JOSEPH AUTEN-CLAIM

City Manager, P. M. Burdette, reported on the claim of W. A. Bless for Joseph Auten as follows: "There seems to be no evidence available to me or Corporation Counsel to indicate that Mr. Auten was employed by the City in this case. Therefore, I cannot recommend its allowance."

The report and recommendation of the City Manager was unanimously accepted and adopted.

WILLIAM FARR-CLAIM

City Manager, P. M. Burdette, reporting on the claim of William Farr and wife for payment of water line on Farrwood Avenue, stated, after a careful investigation of the claim of William Farr and wife, including a written opinion of the Corporation Counsel, he was confident the claimants have no interest in said water system, and have no valid claim against the City, therefore, he could not recommend that this claim be allowed.

The Council unanimously accepted and adopted the report and recommendation of the City Manager.

MICA MINE-MICA

A committee of Councilmen Bryson and Shuford were appointed to work with the City Manager to determine whether it would be advisable to accept the proposal of W. T. Anglin to lease mica mines on the water shed.

A petition from citizens and taxpayers of the City requesting that the City acquire property located at the corner of Flint and Cherry Street, known as the Sondley property, consisting of several acres of land and a nine-room residence, either through purchase or trading some of the property now owned by the City for this land to be used as a playground and park for the City of Asheville, was presented.

On motion of Councilman Weaver, seconded by Councilman Vance, a committee of Councilmen Carland and Weaver was appointed to work with the City Manager to investigate and make a report on this request.

On motion of Councilman J. C. Vance, seconded by Councilman Jacob F. Weaver, Resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on July 8, 1935, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the year 1927; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in The Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SHEET	WARD	BID IN BY
5691	Lee L. Powers	42-1/2	5	2	William Way

WHEREAS, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, said registered letter notifying the listed owner that the public sale was conducted on the above date and that the property was bid in as shown above, and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and

WHEREAS, the required thirty days have expired and the said listed owner has not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the above property has been properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on July 8, 1935, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of 1927 and prior year taxes, together with the cost of advertising, and the listing of the property for taxes for the years in which the title was vested in the City of Asheville.

I move the adoption of the foregoing resolution.

J. C. Vance
COUNCILMAN

SECONDED BY: Jacob F. Weaver
COUNCILMAN

[illegible], was approved and adopted, this the 8th day of August, 1935.

R. M. Wells
COUNCILMAN

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. C. Cocke, Jr.
ASSISTANT CORPORATION COUNSEL.

Mayor Wells appointed Councilmen Carland and Shuford to work on the committee consisting of Councilman Bryson and Corporation Counsel, appointed to investigation high bridge across French Broad River from Asheville to West Asheville.

ORDINANCE RE: BARBERS

Councilman Bryson reporting on the Ordinance appointing a commission to regulate barbering and barber shops in the City of Asheville adopted at the last meeting, stated that the Corporation Counsel had advised that, in his opinion, section 13 of this ordinance was unconstitutional and recommended that this section be repealed.

A motion of Councilman Bryson, seconded by Councilman Shuford that commission be appointed to draft a new ordinance satisfactory to all parties concerned carried unanimously, and Mayor Wells appointed Councilman Bryson, S. E. Horton, Chairman of the Commission and J. W. Bowman, representing the colored barber to constitute this commission.

On motion, adjourned.

R. M. Wells
Mayor

City Clerk.

Thursday, August 15, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, Robert E. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette and Assistant Corporation Counsel, Philip C. Cocke, Jr. The minutes of the previous meeting were read and approved.

MRS. MINNIE Z. BEATTY-RELIGIOUS SERVICES

The request of Mrs. Minnie Z. Beatty for permission to hold religious meetings on the streets was on motion of Councilman Vance, seconded by Councilman Weaver, unanimously granted.

JOSEPH L. AUTEN
JAMES S. HOWELL
SALE, PENNELL & PENNELL - BILLS

City Manager, P. M. Burdette, reported he had investigated the bills of Mr. Joseph Auten, Mr. James S. Howell and the firm of Sale, Pennell & Pennell for services rendered in the case of Henry W. George et al. vs. City of Asheville, et. al., and recommended that each firm be paid $250.00 for their services in the above case.

The report and recommendation was accepted and adopted unanimously.

W. T. ANGLINE- MICA WATERSHED

Mr. Burdette reported he had investigated theproposed mica lease of W. T. Angline and recommended that Mr. Angline be permitted ninety days as requested to investigate the property on the east side of the river on the water shed, and if findings justify an extended lease be entered into with him.

A motion of Councilman Bryson, seconded by Councilman Vance, that a resolution be drawn to authorize the Mayor to execute a lease with W. T. Angline, carried unanimously.

HAYES STREET-REPAIRS

Mr. Burdette reporting on the petition from the West Asheville Baptist Church, regarding repairs on Hayes Street, ststed the work is now in progress in the grading and gravelling of Hayes Street; that the City Engineer is cooperating with property owners regarding the handling of surface water and that changes in location of lights have been ordered.

BARNARD AVENUE-LIGHT AND FIRE PLUG

A communication from Mr. Burgin Pennel, on behalf of his client, Mr. J. Pat Atiken for a street light and fire plug on Barnard Avenue in Jackson Park, was presented and on motion of Councilman Vance, seconded by Councilman Shuford, ordered referred to the City Manager.

ORDINANCE REGULATING BARBER SHOPS

Councilman Bryson reported that modifications had been made to the ordinance regulating barber shops and recommended that the ordinance be re-drafted and offered at the next meeting of the Council.

A. S. BARNARD-BILL

The bill filed by Mr. A. S. Barnard for services rendered in the two suits brought by the Bondholders and Noteholders Committees in the United States District Court in the amount of $2,500.00 was ordered referred to the City Manager.

Councilman Vance reported that suggested plans have been filed at Raleigh with the State Insurance Commission for the remodeling of the city auditorium and are being returned to Asheville for observation by the Council as an outline for theproposed auditorium project.

A motion of Councilman Bryson, seconded by Councilman Vance, that the City Manager be instructed to work out some means of transportation for the students of McDowell Street High School, carried unanimously.

On motion, adjourned.

Mayor

City Clerk

Thursday, August 22, 1935- 4 :30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, Jr., Robert E. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette and Corporation Counsel, A. Hall Johnston.
The minutes of the previous meeting were read and approved.

The committee appointed to consider the erection of a high bridge across the French Broad River from Asheville to West Asheville submitted the following report:

TO THE HONORABLE MAYOR AND COUNCILMEN
OF THE CITY OF ASHEVILLE:

Your committee appointed to consider the erection of a high toll bridge across the French Broad river from Asheville to that part of the city known as West Asheville reports as follows:

1. The erection of such a toll bridge would probably be injurious to the tourist travel to Asheville because, even though a minimum free were charged, the bridge would be marked as "Toll Bridge" on maps and route listings prepared and distributed by travel, civic and commercial organizations. It has been observed that tourist travel avoids toll bridges whenever possible.

2. After discussing the matter with numerous residents of that part of the city known as West Asheville, your committee has concluded that said residents if given the option of a longer drive and a free bridge or a shorter drive and a toll bridge, would in the majority of instances select the free bridge. Your committee further concludes that the residents of said section would seriously object to toll bridge being placed on the only logical route between their homes and the business district of the City of Asheville.

3. Your committee finds that the officials of the State of North Carolina look with disfavor on the erection and maintenance of toll bridges on the highways of the State and that said officials have recently eliminated several such toll bridges through purchase by the state.

4. Your committee finds that the present bridge across the French Broad River is inadequate to properly and safely care fot eh present traffic and that it must be replaced in the near future. Your committee finds that said bridge is an important link on one of the most traveled highways of the State and that the erection of a new bridge is properly within the province of the Highway Commission of the State of North Carolina.

Your committee respectfully recommends that the Council of the City of Asheville request all citizens and civic organizations of Asheville to join with it in urging the State Highway Commission to provide an adequate and safe bridge on State Highway #10 where said highway crosses the French Broad river within the city limits of the City of Asheville.

Respectfully submitted,

Holmes Bryson
Eugene Carland
Robert E. Shuford

Councilman Bryson expressed the thanks of the Council for the splendid work done by Mr. Neal in preparing and submitting the plans and specifications.

A motion of Councilman Divelbiss, seconded by Councilman Weaver, that the report of the Committee be accepted and adopted carried unanimously.

MEAT DISTRIBUTORS- TAX AND INSPECTION FEES

A committee composed of Councilmen Carland, Shuford and Divelbiss was appointed to work with the City Manager and Mr. J. Scroop Styles representing the meat distributors, to work out something satisfactory to all parties concerned in regard to reduction of privilege tax and fee for inspection of meat, and make recommendation to the Council.

A motion of Councilman Carland, seconded by Councilman Weaver that the Council adjourn this meeting in respect to Will Rogers and Wiley Post, carried unanimously.

Mayor

City Clerk

Thursday, August 29, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, Jr., J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette, and Corporation Counsel, A. Hall Johnston. The minutes of the previous meeting were read and approved.

RESOLUTION AUTHORIZING TAX COLLECTOR TO ACCEPT $50.00 IN PAYMENT FOR TAXES

On motion of Councilman J. C. Vance, seconded by Councilman Eugene Carland, Resolution authorizing Tax Collector to accept $50.00 in payment of certain taxes for the year 1928 was unanimously adopted.

RESOLUTION AUTHORIZING TAX COLLECTOR TO ACCEPT $50.00 IN PAYMENT OF CERTAIN TAXES FOR THE YEAR 1928

WHEREAS, the City of Asheville levied certain taxes for the year 1928 against theproperty described as Lots 3 and 8½, Sheet 12, and Lots 105, 106 and 107, Sheet 13, of Ward 3, Asheville Township, and said property was sold for said taxes the 14th day of October, 1929, and Tax Sales Certificate No. 657 issued to the City of Asheville; and

WHEREAS, the City of Asheville instituted suit on said certificate against John C. Arbogast and wife, in whose name said property was listed, and attempted to foreclose said tax certificate but that certain interested parties, including Gurney P. Hood, Commissioner of Banks, intervened and the said foreclosure proceedings were declared null and void by judgment of the Superior Court, affirmed by the Supreme Court; and

WHEREAS, upon request of the City Council, the Corporation Counsel has investigated the matter and advised that said tax, in all probability, could not be collected as a matter of law, and recommended that same be settled upon the best basis possible; and

WHEREAS, thepresent owner has agreed to pay the sum of $50.00 in full discharge of said tax and a settlement of the controversy in regard thereto;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Tax Collecting authorities for the City of Asheville be, and they are hereby authorized, empowered and directed to accept $50.00 in cash in full satisfaction and discharge of the taxes evidenced by 1928 tax certificate No. 657 on Lots 3 and 8½, and Sheet 12, and Lots 105, 106 and 107 of Ward 3, Asheville Township.

I move the adoption of the foregoing resolution.

J. C. Vance
COUNCILMAN

SECONDED BY: Eugene Carland
COUNCILMAN

Read, approved and adopted this 29th day of August, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke Jr.
ASST. CORPORATION COUNSEL.

J. Scroop Styles, Attorney for T. C. Warren, filed notice of claim in the sum of $1,500.00 for property taken in the change of location of Haywood Road, which was on motion of Councilman Weaver, seconded by Councilman Vance, ordered referred to the Corporation Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE.

T. C. WARREN
Claimant
-vs-
CITY OF ASHEVILLE
Defendant

NOTICE

TO THE MAYOR AND COUNCILMEN COMPOSING THE CITY COUNCIL OF THE CITY OF ASHEVILLE

Pursuant to the provisions of Section 90 of Chapter 121, Private Laws of North Carolina, Session 1931, the undersigned attorney of T. C. Warren gives notice to the Council of the City of Asheville, of his claim for damages in the sum of Fifteen Hundred ($1500.00) Dollars caused by the wrongful act of the city

The claimant further shows that he was injuried by the sale of his property by the city of Asheville acting without authority or right.

Claimant further shows that said property was taken from him for the change of location of Haywood Road, W. Asheville.

Claimant was the owner of this lot and has his taxes paid to date. He was not notified of the location of the street near the property and learned only within thepast ten days that there is a deed from the city of Asheville to Mr. Hempstead for claimant's property.

That as a result of the city's wrongful acts claimant has sustained injury in the sum of Fifteen Hundred ($1500.00) Dollars.

Therefore, you will take notice that, if this claim is not paid or settled or unless the same in entered upon theminutes, expressing a full determination of this claim, then this claimant shall file an action for the recovery of the damage hereinbefore named.

This the 29th day of August, 1935.

J. Scroop Styles
Attorney for Plaintiff.

Notice of claim of Joseph L. Auten for $1,000.00 for servicee rendered in the case of Henry W. George et als, vs. Wickes Wamboldt et als, was filed and on motion of Councilman Divelbiss, seconded by Councilman Carland, unanimously ordered referred to the Corporation Counsel.

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF ASHEVILLE:

This is to advise that the undersigned claimant, having no response from you in regard to his claim filed with you on June 13th, 1935 for legal services rendered between the dates of March 3rd and June 13th, 1935, on behalf of the City of Asheville and the individual councilmen and the City Manager in that certain cause lately pending in the District Court of the United States for the Western District of North Carolina entitled Henry W. George et als, vs. Wickes Wamboldt et als, hereby demand and makes claim for the specific sum of $1000.

This claim is in addition and supplemental to the bill for services filed by the undersigned on March 5th, 1935 and is for services rendered subsequent to that date, including making several trips to attend hearings and conferences in the above case, argument and briefing, filing answers, and various other services performed in the defense of the above action up to and including the dismissal of the above action in the District Court, on May 29th, 1935.

Claimant has on file with you in this same cause another claim for $1000 and with this claim of $1000 now makes claim and demand upon you for the total sum of $2000 for legal services rendered in the case of George et als vs. Wamboldt et als.

Joseph L. Auten
Asheville, North Carolina, August 29th, 1935. CLAIMANT

W. M. CARSON-CLAIM

A notice of claim filed by S. J. Pegram, Attorney for W. M. Carson, for damages in the amount of $300.00, due to overflow of water on property on Poplar Street was on motion of Councilman Bryson, seconded by Councilman Carland, unanimously ordered referred to the City Manager and City Engineer.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

W. M. CARSON
Plaintiff
-vs-
THE CITY OF ASHEVILLE
Defendant

NOTICE

TO THE MAYOR AND COUNCILMEN COMPOSING THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1.

That the plaintiff is a citizen and resident of Buncombe County and the State of North Carolina and owns certain property on Poplar Street in the City of Asheville, being in Ward 1, Lot #22, Sheet #3, of the city tax map. Said property is listed in the name of this plaintiff, W. M. Carson.

2.

That the city of Asheville has erected, on Mountain Street which is directly in the rear of this plaintiff's property, certain drains or culverts regulating the flow of water from Mountain Street and that the said city has negligently installed a culvert which allows a large quantity of water to drain and wash over this plaintiff's premises and that as a result of the negligent manner the plaintiff has been damaged in the amount of Three Hundred ($300.00) Dollars. That ditches and gullies have been washed out over this plaintiff's oroperty and that his garden has been greatly damaged and that in the event that this nuisance is not abated the plaintiff will suffer irrepairable injuries to his possessions.

THEREFORE you will take notice that if this nuisance is not abated and the claim herein set forth not paid or settled or unless the same in entered upon the minutes, expressing a full determination of this notice, then this claimant shall file an action for the recovery of damages herein before named and the purpose of abating this nuisance.

This the 29th day of August, 1935.

S. J. Pegram.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE.

W. M. CARSON, being first duly sworn, deposes and says:

That he is theplaintiff in the above entitled notice; That he has read the foregoing complaint and knows the contents thereof, and knows them to be true of his own knowledge, excepting as to those matters and things therein stated on information and belief and as to those matters and things therein stated he believes it to be true.

W. M. Carson

Subscribed and sworn to before me, this the 29th day of August, 1935.

My commission expires:
Oct. 7, 1935. (SEAL)

T. B. Galloway
Notary Public, Buncombe County,
North Carolina.

ORDINANCE #231- REPEAL

Councilman Vance moved, seconded by Councilman Divelbiss, that Ordinance #231, entitled "An ordinance appointing a commission to regulate and supervise the profession of barbering and barber shops in the City of Asheville", adopted by the City Council on August 1, 1935 be repealed. A vote was taken, Councilmen Bryson, Carland, Divelbiss, Vance, Weaver and Wells, voting "aye", the ordinance was declared repealed.

ORDINANCE #---- FIRST READING

Ordinance #---, entitled "An ordinance apponting a commission to regulate and supervise the profession of barbering and barber shops in the City of Asheville, was on motion of Councilman Holmes Bryson, seconded by Councilman J. C. Vance passed on its first reading; all members of the Council present voting in the affirmative.

On motion, adjourned.

R. M. Wells
Mayor

E. G. Thompson
City Clerk

Thursday, September 5, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Eugene Carland, J. E. Divelbiss, Jr., Robert E. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette and Corporation Counsel, A. Hall Johnston. The minutes of the previous meeting were read and approved.

City Manager, P. M. Burdette, reporting on his investigation of the claim of W. M. Carson for damages resulting from overflow of water on his property on Poplar Street, read a report from the Director of Engineering, R. L. Maynard(report follows) in view of the information contained in said report recommended that the claim be disallowed. The report was unanimously accepted and adopted by the Council.

Sept. 4, 1935.

Mr. P. M. Burdette
City Manager
Asheville, N. C.

Dear Mr. Burdette:

In compliance with your instructions, I have investigated the attached claim of W. M. Carson for damages resulting from storm water on his property on Poplar Street.

W. M. Carson is the owner of Lot 22, Ward 1, Sheet 3, which is situated between Mountain Street and Poplar Street. The rear of the lot is traversed by a deep, natural ravine where storm water has flowed throughout the centuries.

W. M. Carson bases his claim on the fact that the city has discharged storm water from a catch basin in Mountain Street onto his property.

I have closely observed the location of the drainage ditches, storm water system, and topography of the land in the vicinity of the Carson property, and I am convinced that the city did not by the construction of streets, ditches, or catch basins in any way increase or change the amount or direction of the flow of storm water across the Carson property.

The city, therefore, cannot be held accountable for damages done by the natural drainage across the land of W. M. Carson. It is my opinion that the city should disclaim all responsibility for the damage claimed.

Yours truly,
R. L. Maynard
DIRECTOR OF ENGINEERING.

RLM/j
cc-Legal Dept.
Att.-2

On motion of Councilman Jacob F. Weaver, seconded by Councilman J. C. Vance, Resolution authorizing Mayor to execute duplicate quit-claim deed was unanimously adopted.

RESOLUTION AUTHORIZING MAYOR TO EXECUTE DUPLICATE QUIT-CLAIM DEED.

WHEREAS, by a resolution adopted by the City Council on January 18, 19[illegible] the Mayor was authorized to execute a quit-claim deed to R. E. Shuford for Lot 1[illegible] Sheet 6, Ward 5, certificate #2300, listed owner Mrs. Sadie Youngblood; and

WHEREAS, said deed has been misplaced, and Mr. R. E. Shuford has reque[illegible] that a duplicate quit-claim deed be executed for this property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHE[illegible]

That the Mayor of the City of Asheville be and he is hereby authorized [illegible] to execute a duplicate quit-claim deed to the property described above.

I move the adoption of the foregoing resolution.

Jacob F. Weaver
COUNCILMAN

SECONDED BY: J. C. Vance
COUNCILMAN

Read, approved and adopted this 5th day of September, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
ASSISTANT CORPORATION COUNSEL.

BRUCEMONT CIRCLE- EXTENSION

A petition signed by property owners and residents on Brucemont Circle requesting that the City extend Brucemont Circle from the southern terminus near the Brucemont Apartments to Majestic Avenue at its intersection with Crown Street was presented and on motion of Councilman Divelbiss, seconded by Councilman Vance, unanimously ordered referred to the City Manager and the Engineering Department.

ORDINANCE #--- TABLED

A motion of Councilman Shuford, seconded by Councilman Divelbiss, that An ordinance appointing a commission to regulate and supervise the profession of barbering and barber shops in the City passed on its first reading on August 29th, be tabled on being put to a vote carried unanimously.

AUDITORIUM COMMITTEE-REPORT

The Committee composed of Councilmen Divelbiss, Vance, Weaver and Carland, appointed to make investigation in regard to repairs of the Auditorium reported as follows:

"Your Committee on the Auditorium composed of Messrs. Divelbiss, Vance, Weaver and Carland, after due consideration recommend to the City Council that the present auditorium now located on Haywood Street be converted into an auditorium and convention ahll, and hereby recommend that the City Manager confer with all local architects and make plans for same.

It is further understood that the City Council shall in no way obligate itself to any of said architects until such plans have been accepted and approved by the City Council."

A motion of Councilman Shuford, seconded by Councilman Divelbiss, that the report of the Commission be accepted carried unanimously.

City Manager, P. M. Burdette, reported steps have been taken to obtain funds for this project and that progress made is encouraging.

BARBER SHOPS- REQUEST TO CHANGE HOURS

A petition from colored barbers of Asheville requesting that the hours for opening and closing be changed as follows: open at 8 A. M., close at 8 P. M.; Saturday open at 8 A. M., close at 11 P. M.p holidays, open at 8 A. M. close at 3 P. M. was presented and on motion of Councilman Vance, seconded by Councilman Divelbiss, unanimously ordered referred to the Corporation Counsel for report.

BESSIE PRINGLE- CLAIM

Mr. James S. Howell filed notice of claim for his client, Bessie Pringle, for personal injuries sustained by falling on Eagle Street, which was on motion of Councilman Vance, seconded by Councilman Carland unanimously ordered referred to the Corporation Counsel and the City Manager.

September 5, 1935

To the Honorable Mayor and City Council
of the City of Asheville
Asheville, N. C.

Gentlemen:

In Re: Claim of Bessie Pringle.

I hereby respectfully present claim of Bessie Pringle for personal injuries sustained by her on the 29th day of August, 1935, at about 3 o'clock P. M., at the intersection of Velvet Street and Eagle Street, adjacent to Hirsch's Store, where the sidewalk on Eagle Street intersects with Velvet Street.

The curbing at this point has caved away from the sidewalk, just at the intersection, and at this point the sidewalk has bee permitted to sag, and the faulty construction of the sidewalk is so inclined, that my client in attempting to pass over the sidewalk at the intersection of Eagle and Velvet Streets, at thecorner of Hirsch's Store, slipped and fell at the point where the curbing is out of repair, resulting in serious injury to her spine, and otherwise bruising and injuring her back.

My client contends that the City is at fault in permitting the sidewalk at this point to remain out of repair over a period of months, and it so happens that other people have been injured at the same place in the past, but the City has neglected to correct this faulty condition and lack of repair, and my client has been damaged, and herewith respectfully presents claim for $2500.00 for personal injuries sustained to her.

This claim is presented to you in compliance with Chapter 10, Section 244, Charter of the City of Asheville as is set out in Pennell's Code of 1923.

JSH:M

Very truly yours,
James S. Howell.

The request of E. W. Pearson, Secretary of the Buncombe County Colored Agricultural Fair, for a donation to the annual fair to be held in Asheville this month was on motion of Councilman Weaver, seconded by Councilman Vance, unanimously ordered referred to the City Manager with power to act.

On motion, adjourned.

Mayor

City Clerk

Thursday, September 12, 1935- 4:30 P. M.

The City Council met in regular session; Vice-Mayor Bryson presiding. Present: Councilmen Holmes Bryson, Eugene Carland, Robert E. Shuford, J. C. Vance, and Jacob F. Weaver, City Manager, P. M. Burdette and Corporation Counsel, A. Hall Johnston. The minutes of the previous meeting were read and approved.

The notice of claim of John B. Rumbough, for and in behalf of his minor son, James E. Rumbough II, for personal injuries sustained from a fall from a slide in Montford Park was presented and on motion of Councilman Carland, seconded by Councilman Vance, ordered referred to the Corporation Counsel.

NORTH CAROLINA
BUNCOMBE COUNTY
CITY OF ASHEVILLE.

TO THE HONORABLE MAYOR AND COUNCILMEN OF THE CITY OF ASHEVILLE:

John B. Rumbough, for and in behalf of his minor son, age 11, James E. Rumbough II, hereby presents the following claim and demand against said City, and respectfully shows:

That the injuries sustained are as follows: Fracture of the left foot and ankle; bruises and lacerations of the body; shock and nervous disorders; pain and suffering of both mind and body.

That in addition to the injuries sustained as above set forth, the claimant has been forced to expend large sum for medical treatment, and for the purchase of drugs and other articles necessary for the proper treatment of said injuries.

Claimant demands, the sum of One Thousand ($1,000.00) Dollars, as compensation for his said injuries, and hereby notifies said City of his intention to institute suit for the recovery of said amount, unless same is paid within the time prescribed by law.

This notice is given in compliance with, Sections 243,244, 245,246, of Chapter 16, of the Private Laws of North Carolina, Session 1923, entitled "An Act to Amend, revise, and consolidate the statutes that constitute the Charter of the City of Asheville", as re-enacted in Section 90, of Article XIII, Chapter 121, of The Private Laws of North Carolina, Session 1931, entitled "An Act to incorporate the City of Asheville, to define its powers and duties, to provide for its government, and for other purposes.

Respectfully submitted,
JOHN B. RUMBOUGH, for
JAMES E. RUMBOUGH II, a minor,
By Lee & Lee
Attorneys

City Manager P. M. Burdette, reported E. W. Pearson had applied for and received $100.00 [illegible] fair of the Buncombe County Colored Agricultural Fair to be held in Asheville this month.

On motion, approved.

R. M. Wells
Mayor

City Clerk

Thursday, September 19, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, Jr., Robert E. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette and Corporation Counsel, A. Hall Johnston. The minutes of the previous meeting were read and approved.

The request of Mr. Frank M. Jordan that Julia Street be repaired to lay the dirt was on motion of Councilman Bryson, seconded by Councilman Weaver, unanimously ordered referred to the City Manager and the City Engineer.

Mr. Guy Weaver, representing Millie Williams requested an adjustment of water rent charged against a former tenant of property on Market Street.

This matter was on motion of Councilman Shuford, seconded by Councilman Weaver, ordered referred to the City Manager with power to act.

Mr. Guy Weaver requested that rents collected by the City of Asheville on the property formerly owned by R. M. Ramsey Estate, 410 Southside Avenue be applied toward the taxes due on this property.

This matter was referred to the Corporation Counsel.

The request of Mr. J. F. Ford, Attorney representing The Clinton Trust Company, holder of certain notes of the $950,000 issue, that payment be made his client of the pro-rata part of taxes collected for debt service for interest due was on motion of Councilman Vance, seconded by Councilman Carland unanimously ordered referred to the City Manager, the Corporation Counsel and Councilman Shuford for investigation and report at the next meeting.

Mr. Sam J. Pegram, attorney for G. D. Chappelle, filed notice and claim of damages for personal injuries sustained by a fall on Walnut Street, which was ordered referred to the Corporation Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

G. D. CHAPPELLE
Plaintiff
-vs-
THE CITY OF ASHEVILLE
A Municipal Corporation
Defendant

NOTICE AND CLAIM OF DAMAGES FOR PERSONAL INJURIES.

TO THE HONORABLE R. M. WELLS, MAYOR OF THE CITY OF ASHEVILLE, PAT M. BURDETTE, CITY MANAGER AND THE BOARD OF COUNCIL FOR THE CITY OF ASHEVILLE:

G. D. Chappelle claimant above named being first duly sworn, deposed, gives notice, and makes claim or demand upon the City of Asheville, a municipal corporation, for injuries received prior to the date of the filing of this claim.

1.

That theclaimant is a resident of the City of Asheville, County of Buncombe and State of North Carolina, and that the City of Asheville as above stated is a municipal corporation.

2.

That about 9 o'clock P. M. on Sunday the 1st day of September 1935 the claimant herein while walking along the sidewalk on Walnut Street, which is located in the central part of the City of Asheville, caught the heel of his show in an excavation which was used by the City to cut off and on water at No. 42 Walnut Street, that said excavation was installed by the City in the center or near the center of said sidewalk on Walnut Street on the South side of said street and directly in front of No. 42 Walnut Street that the excavation was approximately four inches in diameter and extended upward to the approximate level of the sidewalk. That said excavation or water cut off was constructed with the flange on the inside of pipe for the purpose of installing and keeping a covering on same by the said covering had been removed or misplaced by the said City or its agents or employees and as a result the claimant who was traveling East on Walnut Street stepped into said hole turning his ankle and twisting his body and throwing the claimant with great force and violence to the paved street and thereby injuring this claimant as will hereinafter be more fully set out.

3.

That the sidewalks in the City of Asheville are public thoroughfares. The law imposes the duty upon the City to construct and maintain said thoroughfare in a safe and sound condition and that the said City failed in its duty to construct and maintain its sidewalks in a proper and safe condition particularly to this claimant in that said covering was negligently left off thereby allowing a dangerous condition to exist thereby injur this claimant.

4.

That the said City would know of the dangerous condition that existed as herein set out or by the exercis of ordinary and proper care should have known of the unsafe condition of said opening and that claimant is informed and believes that said unsafe condition has existed for sufficient length of time to put the City upon notice of said defect. The law further imposes the duty upon the City of Asheville to inspect and repair and keep the said sidewalks in a safe condition for pedestrians to walk thereupon particularly so in a congested section of the City of Asheville as the place herein before described and that the City of Asheville failed to perform its duty as they are required by law to do.

5.

That due to the negligence of the defendant the claimant was thrown to the hard surface of said street and as result of said fall sustained injuries to his back, ankle and sustained a hernia to his left side and that said injuries were sutained by claimant as the direct and proximate result of the defendant's carelessness and negligence in allowing the dangerous and hazardous condition of said sidewalk to exist.

6.

That as result of said injuries sustained by the claimant he has been compelled to spend money,incur debts and liabilities in the procuring of medicine and medical treatment made necessary by the result of said injuries and that claimant has been otherwise damaged and injured as result of said fall.

WHEREFORE, the claimant prays that the City of Asheville pay the amount of $10,000 for injuries received by this claimant as result of said fall.

S. J. Pegram
Attorney.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

G. D. CHAPPELLE, being first duly sworn according to law, deposes and says:

That he is theplaintiff in the above entitled action and has read the foregoing complaint and knows the contents thereof; that the same is true of his own knowledge except as to those matters and things therein stated upon information and belief, and as to those matters, he believes it to be true.

G. D. Chappell

Sworn to and subscribed to before me, this the 13th day of Sept. 1935.

T. B. Galloway
Notary Public

My commission expires:
Oct. 7, 1935.

[illegible] of Ed. Pearson that the City Council reconsider its action and make [illegible] the County Colored Agricultural Fair was on motion of Councilman [illegible] Councilman Vance referred to the City Manager for further consideration.

[illegible]

John A. [illegible] of St. Louis, Missouri, through his attorney and agent, Eugene M. Guise, presented claim in the amount of $7,607.50 for unpaid coupons past due for audit [illegible] was ordered referred to the Corporation Counsel.

TO THE HONORABLE, THE CITY MANAGER, TO THE BOARD OF CITY COUNCIL AND THE CLERK THEREOF OF THE CITY OF ASHEVILLE, STATE OF NORTH CAROLINA.

Gentlemen:-

Comes now, John A. Nordman, a resident of the City of St. Louis, State of Missouri, and a citizen of the State aforesaid, being the owner, holder and bearer of bonds and coupons heretofore executed, sold, issued and delivered for value, by the City of Asheville, State of North Carolina, and bonds and coupons heretofore executed, sold, issued and delivered for value by the Town of Kenilworth, State of North Carolina, which bonds are obligations of the City of Asheville, State of North Carolina, by reason of the annexation of the Town of Kenilworth by said City, on or about the 30th day of June, 1929, all as hereinafter set out and itemized, and through his attorney and agent, Eugene M. Guise makes presentation of his claims based upon said bonds and coupons with interest from maturity for audit and allowance and demands payment thereof on this the 16th day of Sept. 1935, said bonds and coupons are past due, and wholly unpaid and are as follows, to-wit:-

REFUNDING SEWER BONDS. Dated 7-1-18 with interest at the rate of 5½% per annum.
20 coupons attached to Refunding Sewer Bonds. Dated 7-1-18.

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
82-96 inc.	33	January 1, 1935	15 @ $26.25	$393.75
82-96 "	34	July 1, 1935	15 @ 26.25	393.75

SCHOOL BONDS. Dated 6/1/21 with interest at the rate of 6% per annum.
30 coupons attached to School Bonds. Dated 6/1/21/

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
301-315	27	Dec. 1, 1934	15 @ $30.00	$450.00
301-315	28	June 1, 1935	15 @ 30.00	450.00

SEWER BONDS. Dated 6/1/21 with interest at the rate of 6% per annum.
2 coupons attached to Sewer Bonds. Dated 6/1/21.

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
38	27	December 1, 1934	1 @ $30.00	$30.00
38	28	June 1, 1935	1 @ 30.00	30.00

STREET BONDS. Dated 6/1/23 with interest at the rate of 5½% per annum.
169 Coupons attached to Street Bonds. Dated 6/1/23.

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
551	16	June 1, 1931	1 @ $26.25	$26.25
628,630	18	June 1, 1932	2 @ 26.25	52.50
527-536,539-551, 560-584, 590-601, 618-640	23	December 1, 1934	83 @ 26.25	2178.75
527-536, 639-551, 560-584, 590-601, 618-640	24	June 1, 1935	83 @ 2625	2178.75

WATER BONDS. Dated 6/1/23 with interest at 5½% per annum.
4 Coupons attached to Water Bonds. Dated 6/1/23/

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
124-125	23	December 1, 1934	2 @ $26.25	$52.50
124-125	24	June 1, 1935	2 @ 26.25	52.50

PUBLIC IMPROVEMENT BONDS. Dated 4/1/25 with interest at the rate of 4¾% per annum.
25 Coupons attached to Public Improvement Bonds. Dated 4/1/25.

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
385,386,393-395	17	October 1, 1933	5 @ $23.75	$118.75
385,386,393-400	19	October 1, 1934	10 @ 23.75	237.50
385,386,393-400	20	April 1, 1935	10 @ 23.75	237.50

STREET BONDS. Dated 4/1/25 with interest at the rate of 4¾% per annum.
10 coupons attached to Street Bonds. Dated 4/1/25.

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
501,502 517-519	19	October 1, 1934	5 @ $23.75	$118.75
501,502 517-519	20	April 1, 1935	5 @ 23.75	118.75

SCHOOL BONDS. Dated 4/1/25 with interest at the rate of 4½% per annum.
10 coupons attached to School Bonds. Dated 4/1/25.

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
131-135	19	October 1, 1934	5 @ $23.75	$118.75
131-135	20	April 1, 1935	5 @ 23.75	118.75

CITY HALL BONDS. Dated 1/1/29 with interest at the rate of 5% per annum.
2 coupons attached to City Hall Bonds. Dated 1/1/29

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
[illegible]	12	January 1, 1935	1 @ $25.00	$25.00
[illegible]	13	July 1, 1935	1 @ 25.00	25.00

SEWER BONDS. Dated 1/1/29 with interest at the rate of 5% per annum.
2 coupons attached to Sewer Bonds. Dated 1/1/29.

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
40	12	January 1, 1935	1 @ $25.00	$25.00
40	13	July 1, 1935	1 @ 25.00	25.00

TOWN OF KENILWORTH, NORTH CAROLINA
STREET, WATER AND SEWER BONDS. Dated 5/1/24 with interest at the rate of 6% per annum
5 coupons attached to Street, Water and Sewer Bonds. Dated 5/1/24.

BOND NUMBERS (All numbers inclusive)	COUPONS SERIALLY NUMBERED	MATURITY DATE OF COUPONS	NUMBER OF COUPONS	AMOUNT
36-40	22	May 1, 1935	5 @ $30.00	$150.00
	TOTAL OF ALL COUPONS ITEMIZED ABOVE			$ 7,607.50

Respectfully submitted,

Eugene M. Guise.

State of North Carolina)
County of Buncombe) ss

Comes now, Eugene M. Guise, and represents that he is the duly authorized attorney and agent of John A. Norfleet, that he has been duly authorized as such to make the above itemized demand or claim, that he has examined the above itemized claim, and examined said purported bonds and coupons which are the basis thereof, and that he hereby certifies the foregoing claim to the best of his knowledge and belief to be true and correct.

Eugene M. Guise

Sworn to and subscribed before me this 16th day of September, 1935.
(Seal) My commission expires Mar. 19, 1936.

Glenn Morris
Notary Public.

Presented herewith the foregoing claim based on said bonds and coupons as itemized above, and receipt of duplicate thereof is acknowledged this the day of _____ and demand for payment thereof is hereby refused.

_____

_____

The City Manager, P. M. Burdette, City Manager, reporting on his investigation of the claim of Bessie Patrick for injuries, stated there is some liability on the part of the City and he recommended the City Attorney be authorized to settle same for an amount not to exceed $150.00.

Upon motion of Councilman Carland, seconded by Councilman Vance that the recommendation of the City Manager be accepted, carried unanimously.

There being no further business, adjourned.

R. M. Wells
Mayor

E. G. Thompson
City Clerk

Thursday, September 26, 1935 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, Jr. Robert E. Conford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, P. M. Burdette and Corporation Counsel, A. Hall Johnston. The minutes of the previous meeting were read and approved.

The request of Mrs. Frederick Severance for a sidewalk at the corner of Merrimon Avenue and Murdock Avenue was on motion of Councilman Bryson, seconded by Councilman Carland, was unanimously ordered referred to the City Manager with power to act.

The committee appointed to investigate the request that the City exchange the Sondley property corner of Flint and Cherry Street for playground and park purposes, reported they had conferred with the owners and they were not interested in trading for any of the property owned by the city.

The report of the committee was accepted and the Committee dismissed.

Mr. Burdette reported a donation of $30.00 had been given the Buncombe County Colored Agricultural Fair.

Mr. Burdette reported he had investigated the request of Mr. Jay Weaver representing Miss Millie Williams that an adjustment be made of water rent charged against property on Market Street and arrangement had been made to pay this bill in installments.

City Manager, P. M. Burdette, reported work is being done on Julia Street to correct the condition complained of.

City Manager, P. M. Burdette, reporting on the request of Joseph F. Ford for payment of coupons of Clinton Trust Company, stated it was from the policy of the City not to pay any part of our funded indebtedness until a definite policy can be adopted following negotiations for refunding, and he recommended the same policy in regard to Mr. Ford's request.

A vote was taken and the report of the City Manager unanimously accepted.

The following report regarding transportation to the McDowell Street School for students was presented by City Manager P. M. Burdette:

"The matter of transportation to McDowell Street school for students has been under consdieration for some weeks by the City Council. Mr. Walters of the Carolina Power and Light Company has agreed to recommend to his Company the immediate purchase of the necessary new buses to furnish adequate transportation for these students, provided a fare of five cents be permitted to be charged for such service. This, in no way, will interfere with or change the 2½ cent fare for all other school children in the city as now operated.

This plan has been approved by the City School Board and the Parent-Teachers' Council of the City. Unanimous approval of the public generally has been received also. Therefore, I recommend that the plan be approved by the City Council and that the City Manager with the Corporation Counsel be authorized to execute an agreement embodying all details of operation as may be agreed upon and present same to the City Council for final consideration and adopted at an early a date as possible."

The report and recommendation of the City Manager were unanimously accepted and adopted by the Council.

On motion of Councilman J. C. Vance, seconded by Councilman Jacob F. Weaver, Resolution authorizing the Mayor to execute quit-claim deeds to property acquired by the City of Asheville by tax foreclosure suits was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS.

WHEREAS, it appears to the City Council of the City of Asheville that on August 19, 1935 and August 26, 1936, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the years 1927 and 1928; and

...notice of said sale appeared once a week for four successive weeks in The Asheville Times newspaper, after which the sale was conducted ... at the court house door and bid in as follows:

	LISTED OWNERS	LOTS	SHEETS	WARDS	BID IN BY
...	Asheville Construction Company	3, 4 & 5	2	6	
...	Jesse Hickson	60 and 366 which is part of original lot 61	5	1	Mrs. W. E Log... Mary Jane Col... lington, Guar... for Rachel D...
...	E. C. Heffner	97 and 98	15	4	Anthony Redmo... agent for Mos... Rev. Wm J.Haf... Bishop of Ro... Catholic Dioc... of Raleigh, N...
...	J. F. Hamlin	56	20	5	R. E.Shuford
...	T. C. Smith and W. S. Harrison	53½ which is part of original lot 53	5	5	R. E.Shuford

WHEREAS, it appears that the above property was not bid in at the sale by the listed owners, but it also appears that the tax department of the City of Asheville notified said listed owners by registered letters, said registered letters notifying the listed owners that the public sale was conducted on the above dates and that the property was bid in as shown above, and requesting the listed owners to appear in the office of the tax collector and file any objection to said sale; and

WHEREAS, said notices were mailed to the listed owners on August 20, 1935 and August 26, 1935, and return receipts were signed by said listed owners or their agents, and returned to the tax department; and

WHEREAS, the required thirty days have expired and the said listed owners have not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the above property has been properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and directed to execute quit-claim deeds to the property listed above, said deeds to be made to the bidders as shown above, who were the highest bidders at the sales held on August 19, 1935 and August 26, 1935, which deeds are to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidders upon payment of the taxes above referred to, together with cost of advertising, which amounts are set forth in the deeds, together with ... of the property for taxes for the years in which the title was vested ... of Asheville.

... the adoption of the foregoing resolution.

J. C. Vance
COUNCILMAN

...SECONDED BY: Jacob F. Weaver
COUNCILMAN

... read and adopted, this 26th day of September, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

...ER:
...C. Vance, Jr.
...ON COUNSEL.

Per request of Mr. R. L. Smith, representing Mrs. Edna C. Baier, that the City give a quit-claim deed to a strip of land lying between the old road and the present road in front of lots 218-B and 219-B, sheet 12 ward 5 on Sand Hill Road, was on motion of Councilman Weaver, seconded by Councilman Vance, referred to the Corporation Counsel and the City Engineer.

...

On motion of Councilman Weaver, seconded by Councilman Vance, the matter of a lunch counter in the city hall was referred to the City Manager to investigate and make a report to the Council.

On motion, adjourned.

R. M. Wells
Mayor

City Clerk

Thursday, October 3, 1935 - 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present; Councilmen Holmes Bryson, Eugene Carland, J. F. Divelbiss, Jr., Robert E. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, E. G. Roberts, and Corporation Counsel, A. Hall Johnston. The minutes of the previous meeting were read and approved.

...

The notice of claim for damages for personal injuries sustained by Theodore Biggs on Riverside Drive was filed by Don C. Young and Sale, Pennell and Pennell, attorneys, and on motion of Councilman Divelbiss, seconded by Councilman Vance, ordered referred to the Corporation Counsel.

Asheville, N. C. October 3, 1935

The Honorable Mayor, City Manager and Council of the City of Asheville:

The undersigned, Theodore Biggs, a citizen and resident of Asheville, residing on Waynesville Avenue in said City, by and through Don C. Young and George Pennell, his attorneys of record, who are duly authorized for him and at his special request, hereby files claim against the City of Asheville for damages for personal injuries sustained by the said Theodore Biggs at the time, place and manner hereinafter set out, to-wit:

1. Date. Claimant was injured on the 21st day of August, 1935 at about 12:30 o'clock, P. M.

2. Place. Claimant was injured on Riverside Drive in the said City of Asheville at or near the incinerator plant of the City of Asheville.

3. Manner of injury infliction. The said Theodore Biggs had been fishing in the French Broad River at or near the incinerator plant and was returning to his home walking along Riverside Drive on the right hand side thereof toward Smith's Bridge when an automobile came up behind him going in the same direction at a terrific rate of speed, nearly striking him in such manner that he feared that said automobile was about to strike him and he junmped or stepped quickly off of said street a step or three feet therefrom into what looked like a pile of ashes, but as he found out was in reality a large pile of live, red hot coals of fire that had recently been placed or dumped there by the employees of the City of Asheville; that the said City of Asheville through its servants and employees carelessly and negligently and carelessly and without due regard to the safety of the public and particularly the safety of the said Theodore Biggs placed or dumped said live pile of fire within two or three feet of the concrete pavement of said Riverside Drive into knowing that said Drive was habitually used by pedestrians and knowing that there was no sidewalk on said Drive for the use and safety of pedestrians; that the said City of Asheville carelessly and negligently failed to have any barrier or warning at or near said fire for the protection of the public; that the said carelessness and negligent acts on the part of the said City of Asheville in the street of the City was unsafe for the use of the public.

4. Character of the injury. That when the said Theodore Biggs stepped or jumped into said fire, which had all the appearance of ashes, his feet sank into said fire and large quantities thereof went over the tops of his shoes next to his feet and seriously and permanently injured him and has caused and will continue to cause serious and permanent physical injuries and mental pain. That claimant was confined in a hospital and in his bed for several weeks under the care of several doctors and is now suffering from permanent injuries to his feet as a result of burns received on said occasion.

5. Amount of damages claimed. That as a result of the negligence on the part of said City as aforesaid, claimant herein has been seriously injured and damaged to the extent of $25,000.00, for which this claimant now makes claim for restitution against the City of Asheville.

Respectfully submitted, this the day and year first above written.

Theodore Biggs, Claimant
BY Don C. Young
Sale, Pennell and Pennell
Attorneys for Claimant.

Motion of Councilman Eugene Carland, seconded by Councilman J. C. Vance, Resolution authorizing the extension of time for beginning tax foreclosure suits for 1932 taxes was unanimously adopted.

RESOLUTION AUTHORIZING THE EXTENSION OF THE TIME FOR BEGINNING TAX FORECLOSURE SUITS FOR 1932 TAXES.

WHEREAS, Chapter 75 of the Public Laws of 1935, known as Senate Bill 238, extends the time of beginning tax foreclosure suits for 1932 taxes until December 1, 1935; and

WHEREAS, the Board of Financial Control of Buncombe County and the Board of County Commissioners of Buncombe County have, upon motion or resolution, extended the time for filing the above mentioned tax suits from October 1, 1935 to December 1, 1935; and

WHEREAS, the City Council of the City of Asheville wishes to extend the time to December 1, 1935;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the time for beginning tax foreclosure suits for 1932 taxes is hereby extended to December 1, 1935.

I move the adoption of the foregoing resolution.

Eugene Carland
COUNCILMAN

SECONDED BY: J. C. Vance
COUNCILMAN

Read, approved and adopted, this 3rd day of October, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip P. Cooke Jr.,
ASSISTANT CORPORATION COUNSEL.

[illegible] Burdette, reporting on the complaint of Mrs. Frederick [illegible] of sidewalk facilities at the corner of Murdock Avenue and [illegible] Tex co Oil Company contemplated remodeling their station [illegible] agreement with Merrimon Avenue. If this remodeling is not [illegible] secure property to build a filled in sidewalk.

[illegible] that parties interested in operating a lunch stand in the [illegible] to install all equipment; that as the patronage will be so limited, he did not advise the installation.

[illegible] of G. D. Chappelle for personal injuries was presented by [illegible] complete and detailed report had been furnished him by the [illegible] reports and he recommended that this claim be denied.

[illegible] the three reports of the City Manager and they were accepted [illegible].

R. M. Wells
Mayor

E. G. Thompson
City Clerk

Thursday, October 10, 1935

The City Council met in regular session; Vice Mayor [illegible] presiding, Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, [illegible], Councilmen J. C. Vance and Jacob F. Weaver, and Corporation Counsel, A. Hall Johnston [illegible] the previous meeting were read and approved.

A petition requesting the Council to take [illegible] to eliminate the [illegible] sharp and blind curve at the top of the hill at the intersection of Chestnut Road and Dodge Road to the Woolsey section was presented and on motion of Councilman [illegible], seconded by Councilman Carland, referred to the City Manager.

A petition requesting that the Council provide [illegible] to be erected in the park for flower peddlers who have begin using the sidewalk on Battery Park and College Street was presented held over until the next meeting.

On motion, adjourned.

Mayor

City Clerk

Thursday, October 10, 1935

The City Council met in regular session; Mayor W[illegible] presiding, Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, [illegible], J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager [illegible], Corporation Counsel, A. Hall Johnston. The minutes of the previous meeting were read and approved.

A petition complaining of unsanitary conditions [illegible] Asheville, and requesting that this condition be [illegible] ordered referred to the City Manager.

A petition requesting that the name of [illegible] Glendale Avenue, was presented and on motion of Councilman [illegible] referred to the City Manager.

A petition from merchants, citizens [illegible] that the Council provide a vacant lot to be used [illegible] using the sidewalk at the intersection of College [illegible] of Councilman Divelbiss, unanimously ordered recommended [illegible].

Mr. J. F. Ford, representing the Citizens Trust [illegible] reconsider its action in regard to payment of [illegible] of interest due on $950,000 note issued held by [illegible].

This matter was unanimously referred to [illegible].

Mr. J. F. Ford, representing William Farr [illegible] in the sum of $2,405.72 against the City of Asheville [illegible] water system in Farrwood Development.

Councilman Vance moved that the matter be referred to the City Attorney. This motion was unanimously adopted.

NORTH CAROLINA,
BUNCOMBE COUNTY.

WILLIAM FARR and wife,
EVA FARR,
Plaintiffs
vs
CITY OF ASHEVILLE
Defendant.

To the Honorable R. M. Wells, Mayor of the City of Asheville and the Board of Councilmen;

The undersigned claimants, William Farr and Eva Farr, desire to file with

...ecial is for damages for appropriating, taking and using the property as ...erein set forth to the City's own and exclusive use, thereby depriving ...ding the claimants from theuse, control and benefits derived from said ...

The facts with respect to the damages herein claimed are as follows:

I.

That during the years 1923 and 1924 the claintiffs were the owners ... of land in the Northern part of the City of Asheville, fronting on ... Avenue, consisting of approximately eleven acres, and that during the ... plaintiffs desired to develop and improve said land as residential pro... ...ivided into lots, streets, alleys and sidewalks and proceeded to ... and built and constructed upon said property paved streets, al... sidewalks and a water system, said water system being constructed in accordan... with the ordinances of the City of Asheville andlaws of the State of North Carol... and in the construction of the same used standard material and equipment as requi... by the ordinances of the City of Asheville, and constructed and installed in sa... ...aid property water lines and latteral lines to connect said water sy... ...the streets and alleys to theproperty lines of said development as a cost a... ...ay to these claimants of the sum of Twenty-four Hundred, Five and 72/100 ($2405.72) Dollars, itemized statement of which is hereto attached and made a par... of the claim which said cost was and is a reasonable expenditure for materials ... and labor done in installing said water system, and that the same was ... the sum of Twenty-four Hundred, Five and 72/100 ($2405.72) Dollars.

II.

That on the 24th day of July, 1935, the claimants, through counsel, addressed a letter to Mr. Pat M. Burdette, City Manager, copy of which is hereto attached, in which communication was enclosed a letter addressed to the Honorable Mayor and Board of Councilmen of the City of Asheville with respect to and a requ... that the City indicate whether or not it intended to take over as its own propert... ...this water system located in Farrwood place, and use the same as its property to ... the exclusion of the right, title and interest of the claimants, copy of which ... letter is hereto attached and made a part of this claim.

III.

That later, to-wit: on the 29th day of August, 1935, at the request of the attorneys for the claimants, a letter from E. G. Thompson addressed to Joseph F. Ford, enclosed a copy of the transcript of the minutes of the City Council at a regular meeting held on August 8th, 1935, in regard to this claim, together with the recommendations of the City Manager and the opinion of the City Attorney, copy of which communications are hereto attached and made a part of this claim from which communications the City has definitely decided, as claimants are advised, that said property is now being held as the property of the City of Asheville to the exclusion of all right, title, claim or interest of the said claimants to the same.

IV.

In view of the foregoing proceedings and demands heretofore made, we ... file this claim for the sum of Twenty-four Hundred, Five and 72/100 ($2405.72) Dollars with interest in said sum from the 8th day of August, 1935, ... which the City of Asheville definitely informed claimants that said property belonged to the City of Asheville and not to claimants.

WHEREFORE, we respectfully request the City of Asheville to pay to ... the sum of Twenty-four Hundred, Five and 72/100 ($2405.72) Dolla... ..., fair and reasonable price or compensation for said property so ... said City of Asheville, which saidproperty justly belongs to these ...

WILLIAM FARR AND WIFE,
EVA FARR
BY Ford, Coxe & Carter
Attorneys

... Farr, being first duly sworn, deposes and days that he is ... in the above entitled action; that he has read the foregoing ... therein set forth are true to his own knowledge, except as ... information and belief, and as to those he belives it to be ...

Wm Farr

... to and subscribed before me.
...ber, 1935
Notary Public
My commission expires:
9-14-37

October 17, 1935

MRS. MARGUERITE DIAZ

Mrs. Marguerite Diaz, through her attorney, Irwin Mo... filed a claim for ... personal injuries sustained by falling on Haywood Street, ... was referred to the Corporation Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE.

MRS. MARGUERITE DIAZ
vs.
CITY OF ASHEVILLE

TO THE HONORABLE MAYOR ROBERT M. WE...S
CITY OF ASHEVILLE, NORTH CAROLINA.

Your claimant respectfully says that on the night of Wednesday, October 16th, 1935, at about 8:30 o'clock, P. M., she was walking along Haywood Street on the sidewalk of said City and almost in front of the Delux Cafe on said street when the heel of one of her shoes was caught in a hole or crack in the sidewalk, the hole or crack being known or should have been known to the City by the City of Asheville. That your claimant's leg was ... pull her foot out of her shoe and severely wrenched her knee, ... compelled to obtain medical care and was ... keep the weight off of the injured knee.

That by reason of the negligence of the City of Asheville in not repairing said crack or hole she has been damaged in the sum of Two Thousand ($2,000.00) Dollars, and is hereby filing a claim against the City of Asheville for that amount.

Irwin Mo...
Attorney for Mrs. Marguerite Diaz

STATE OF NORTH CAROLINA,
COUNTY OF BUNCOMBE.

MRS. MARGUERITE DIAZ being duly sworn, ... and says: That the facts contained herein are true to the best of her knowledge and belief.

(Mrs.) Marguerite Diaz

Sworn to and subscribed before me, this the ... day of October, A. D. 1935.

J. M... Notary Public

(SEAL) My Commission Expires:
Aug. 30, 1936.

The request of the trustees of Tabernacle ... in from of the church was presented and on motion ... referred to the City Manager.

A committee composed of Councilmen ... work with the City Manager in regard to converting the ...

City Manager, P. M. Burdette, reporting ... dangerous curve on Chestnut Road and Dayton Street, stated ... corrected without relocating the street which would ... but if the work in done as a project of the W. P. A. ...

On motion of Councilman J. C. Vance, ... An ordinance prohibiting the use of sound trucks ... the City limits of the City of Asheville was ... the first reading.

On motion, adjourned.

Mayor R. M. ...

City Clerk

Thursday, October 24, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen H. Ross Hyams, Eugene Carloni, J. E. Divelbiss, Jr., Robert E. Shuford, J. C. Vance, [illegible] and E. W. Wells, City Manager, P. M. Burdette and Corpora[illegible]. The minutes of the previous meeting were read and [illegible].

[illegible] read to the Council a letter received from Carolina [illegible] furnishing the desired bus transportation service for [illegible] H. Edwards High School; the letter is as follows:

October 1, 1935.

[illegible], City Manager,
City of Asheville,
Asheville, North Carolina.

Dear Sir:

Carolina Power & Light Company having been advised that the City Council of the City of Asheville, the Parent-Teachers Council and the Asheville Citizen have asked that transportation be provided for the students of the Lee H. Edwards High School on McDowell Street, and with this desire is [illegible] the willingness to save the fare for school children on this proposed [illegible] to be established at five cents (5¢) for one-way transportation, the said [illegible] to perform transports the application that follows.

Carolina Power & Light Company presents to the City of Asheville [illegible] application for permit to operate motor busses over certain fixed routes [illegible] to be authorized to the Lee H. Edwards High School in order that certain [illegible] passengers at certain times may be re-routed from company's [illegible] transportation routes to provide bus transportation for [illegible] who attend the Lee H. Edwards High School on McDowell Street. The [illegible] routes over which permit is requested to operate said motor busses to [illegible] H. Edwards High School are as follows:

First: From Pack Square along Biltmore Avenue to Southside Avenue; thence along Southside Avenue to McDowell Street, and thence along McDowell Street to the Lee H. Edwards High Schoo, and return.

Second: From Pack Square along Patton Avenue to [illegible] Avenue; thence along Coxe Avenue to Southside [illegible]; thence along Southside Avenue to McDowell Street, and thence along McDowell Street to Lee H. Edwards High School, and return.

Third: From the Malvern Hills entrance in West [illegible] along Haywood Road, across the West [illegible]; thence along Roberts Street to [illegible]; thence along Depot Street to South[illegible]; thence along Southside Avenue to [illegible]; thence along Choctaw Street to [illegible] Street; and thence along McDowell Street to Lee H. Edwards High School, and return.

[illegible] that said company shall have the right to operate [illegible] routes simultaneously, or to alternate between [illegible] at its discretion for the purpose of rendering [illegible] to the said school. Such permit should authorize the [illegible] the streets described above upon school days [illegible] immediately preceding and immediately following [illegible] seems necessary in the opinion of the company to [illegible] the students of said high school who go to and from [illegible] regular school schedule, but in no event later than [illegible] for the re-routing of these busses over the street above [illegible] through the remaining portion of the present [illegible] said company shall not be expected to re-route and operate [illegible] Street school during any hours or at any time not [illegible].

[illegible] Carolina Power & Light Company for re-routing and [illegible] regular transportation service for the school children [illegible] High School the permit herein applied for, if granted [illegible] that transportation on these busses for one contin[illegible] students of the Lee H. Edwards High School by the [illegible] school ticket that shall be sold by the company to [illegible] said Lee H. Edwards High School for five cents (5¢) [illegible] twenty (20) tickets for $1.00; after the presentation [illegible] special ticket, transfers to and from these McDowell Street [illegible] other busses on company's city-wide transportation sy[illegible] additional cost. The said five cent (5¢) school ticket [illegible] any person other than regular certified students of the Lee H. [illegible]; others, not entitled to this special school fare, will be transported on the busses which shall be operated under this permit at the regular city [illegible] fare with the usual transfer privileges.

At the close of the school [illegible] the Carolina Power & Light Company [illegible] by students of said school at the [illegible] same at its office in Asheville.

In applying for this permit [illegible] of the day to the Lee H. Edwards High [illegible] comply with the request to provide better transportation facilities for [illegible] children attending the Lee H. Edwards High [illegible] mine in advance whether such proposed improvement will prove satisfactory and [illegible] practical. It should, therefore, be understood that this permit is only for the present 1935-36 school year and that the company does not obligate itself at this time to apply for renewal of such a permit for service for other next school terms unless in the company's judgment such an improvement has proved to be satisfactory [illegible] under the terms and conditions herein set out, and when the same is approved by the North Carolina Utilities Commission, Carolina Power & Light Company will thereafter inaugurate this service as soon as it can reasonably secure the busses and necessary equipment.

Yours very truly,

C. F. Hartman
Vice President.

CFH-slw

Following the reading of the letter from [illegible], Councilman Holmes Bryson moved that the City of Asheville grant to Carolina Power & Light Company permit to operate motor busses, over certain fixed routes [illegible] Lee H. Edwards High School in order that certain [illegible] may be re-routed from company's present city-wide [illegible] transportation for school children who attend the Lee H. Edwards High [illegible] Street. The three routes over which permit shall be granted [illegible] to the Lee H. Edwards High School are as follows:

FIRST: From Pack Square along Biltmore Avenue to [illegible]; thence along Southside Avenue to McDowell Street; [illegible] McDowell Street to the Lee H. Edwards High [illegible].

SECOND: From Pack Square along Patton Avenue to [illegible] along Coxe Avenue to Southside Avenue; [illegible] to McDowell Street; and thence along [illegible] High School, and return.

THIRD: From the Malvern Hills entrance in West [illegible] Haywood Road, across the West Asheville [illegible] Street to Depot Street; thence along Depot Street [illegible]; thence along Southside Avenue to Choctaw Street; [illegible] Street to McDowell Street; and thence along [illegible] Lee H. Edwards High School, and return.

That company shall have the right to operate [illegible] routes simultaneously or alternate between one or more of [illegible] at its discretion for the purpose of rendering [illegible] such permit shall authorize the operation of [illegible] upon school days only, and for such time as [illegible] during the inerval of forty-five minutes [illegible] session, and to depart from said school during [illegible] following the general dismissal of [illegible] P. M., it being understood that the [illegible] and from said school [illegible] the said intervals [illegible] permit shall be effective through the remaining [illegible] public school year only; that no [illegible] operating these busses [illegible] Lee H. Edwards High [illegible] permit shall [illegible] one-way continuous trip [illegible] shall be obtained by the [illegible] presentation of a special [illegible] ticket that [illegible] of the said Lee H. Edwards High School for five [illegible] tickets; that after the presentation of the five [illegible] from these McDowell Street school busses to and [illegible] transportation system shall be issued at no additional cost; that [illegible] tickets shall not be sold to any person other than [illegible] Edwards High School; that others not entitled to [illegible] on the busses which shall be operated under this permit at the [illegible] usual transfer privileges; that this permit [illegible] and effect as soon as the fare above [illegible] Commission; that there [illegible] under the terms of this motion individual [illegible] & Light Company shall present application in [illegible] said school; it is understood that Carolina [illegible] this service as soon as it can reasonably secure the busses and necessary equipment.

This motion was seconded by Councilmen J. C. Vance, and after discussion a vote was taken. Seven Councilmen having voted in the affirmative, and no Councilmen having voted in the negative, the motion was unanimously adopted.

City Engineer, C. M. Burdette, reporting on the claim of William Farr and wife, [illegible] sewer system in Farrwood Development, recommended that this claim be dis[illegible]

On motion of Councilman Bryson, the recommendation of the City Manager was unanimously approved and accepted.

The [illegible] land had been obtained for the construction of sidewalk [illegible] Merrimon Avenue and Merrimon Avenue and work is now being done.

[illegible] Councilman Jacob F. Weaver, seconded by Councilman J. C. Vance, [illegible] authorizing the Mayor to execute quit-claim deeds to property acquired by [illegible] Asheville by tax foreclosure suits, was unanimously adopted.

[illegible] AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEEDS TO PROPERTY [illegible] THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS.

WHEREAS, it appears to the City Council of the City of Asheville that on [illegible] 16, 1935 and September 23, 1935, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the years 1926 and 1928; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in The Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERTIFICATE	LISTED OWNERS	LOTS	SHEETS	WARDS	BID IN BY
[illegible]	W. P. Wyatt	61	18	5	W. P. Howell
[illegible]	[illegible] Garland, et ux	144	2	5	R. E. Shuford
[illegible]	J. C. Garland	113,115, 118,119 172,175, 176,177	2	5	R. E. Shuford
[illegible]	E. G. Corbett	82	2	2	Ralph Arbogast
4[illegible]	Brown Realty Company	4	3	1	R. E. Shuford

WHEREAS, it appears that the above property was not bid in at the sale by the listed owners, but it also appears that the tax department of the City of Asheville notified said listed owners by registered letters, said registered letters, notifying the listed owners that two public sales were conducted on the above dates and that the property was bid in as shown above, and requesting the listed owners to appear in the office of the tax collector and file any objection to said sales; and

WHEREAS, said notices were mailed to the listed owners on September 16, 1935 and September [illegible], 1935, and return receipts were signed by said listed owners and [illegible] department, except the notice to Brown Realty Company, which letter was returned by the post office department to the tax department of the City of Asheville marked "Moved from Asheville, N. C."; and

WHEREAS, said notices mailed thirty days have expired and the said listed owners have [illegible] the sales; and

WHEREAS, it appears from a report of the tax collector that the above property [illegible] taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and [illegible] quit-claim deeds to the property listed above; said deeds to be [illegible] above, who were the highest bidders at the sales held on [illegible] October 24, 1935, which deeds are to be turned over to the Tax [illegible] of Asheville who will deliver the same to the bidders upon payment [illegible] to, together with cost of advertising, which amounts are set [illegible] the listing of the property for taxes for the years in the City of Asheville.

[illegible] foregoing resolution.

Jacob F. Weaver
COUNCILMAN

[illegible]:

J. C. Vance
COUNCILMAN

[illegible] approved and adopted, this 24th day of October, 1935.

APPROVED AS TO FORM:
A. Hall Johnston
CORPORATION COUNSEL.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

[illegible]

Resolution allowing rents paid by former [illegible] prior to foreclosure, to be applied on past due taxes [illegible] seconded by Councilman Eugene Garland, unanimously adopted.

RESOLUTION ALLOWING RENTS PAID BY FORMER [illegible] BY THEM PRIOR TO FORECLOSURE, TO BE APPLIED [illegible]

WHEREAS, it appears to the City Council that the City [illegible] in the city of Asheville by virtue of tax foreclosure for [illegible] former owners of these houses have been allowed to [illegible] and

WHEREAS, it being the policy of this Council not to [illegible] have failed to pay their taxes unless that be [illegible] City of Asheville; and

WHEREAS, the former owners have been renting [illegible] and paying rents therefor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That all rents collected by representatives of the City [illegible] building owned by the city, and obtained by virtue of tax sales, be paid over to the Tax Collector of the city of Asheville, to be applied on the payment of back taxes, with the exception that any expenses for repairs or other expenses incurred by the City to the upkeep of said property shall be deducted from the rents before same are applied on the past due taxes; provided that this resolution shall only apply to those former owners from whom rents from the property have been paid to the city, and provided each former owner shall make application to redeem his property under the terms [illegible] and the other rules and regulations of the Council; and provided, further, that in no instance shall the city make a rebate in payment [illegible] taxes and costs as contemplated by this resolution, and provided [illegible] City Council concerning redemption of property; and, provided, further, that the provisions of this resolution shall apply only to those persons [illegible] with the required cash deposit, and do whatever [illegible] to obtain deed under the rules and regulations [illegible] April 1, 1936.

I move the adoption of the foregoing resolution, [illegible] October, 1935.

Holmes Bryson
COUNCILMAN

SECONDED BY: Eugene Garland
COUNCILMAN

Read, approved and adopted, this the 24th [illegible]

R. M. Wells
MAYOR

APPROVED AS TO FORM:
A. Hall Johnston
CORPORATION COUNSEL.

E. G. Thompson
City Clerk

[illegible]

Ordinance No. 232- entitled An ordinance [illegible] of sound trucks and/or loud speakers for advertising within the city limits [illegible] was presented on its second reading, a vote taken, all Councilmen [illegible] affirmative, the ordinance was declared adopted on its second reading.

On motion, adjourned.

Mayor R. M. Wells

City Clerk

Tuesday, October 31, 1935- 4:30 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: [illegible], Eugene Carland, J. E. Divelbiss, Jr., Robert E. Shuford, [illegible], J. C. Vance, P. M. Wells, City Manager, P. M. Burdette and Assistant Corporation [illegible], Jr. The minutes of the previous meeting were read and [illegible].

[illegible] the Executive Committee on Historical Markers for the Sesqui-[illegible] was granted approval from the City Council for the erection of marker [illegible] Road, was read.

[illegible] Vance that this matter be referred to the City Manager [illegible], motion prevailing.

[illegible] authorizing Mayor and City Clerk to execute agreement as to street [illegible] with the State Highway and Public Works Commission was on motion of Councilman J. C. Vance, seconded by Councilman Eugene Carland, unanimously adopted.

RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE AGREEMENT AS TO STREET MAINTENANCE WITH THE STATE HIGHWAY AND PUBLIC WORKS COMMISSION.

WHEREAS, the City of Asheville has expended a certain sum of money in the maintenance of streets; and

WHEREAS, there is a fund in the hands of the State Highway and Public Works Commission in the amount of $16,[illegible].30, out of which the City of Asheville is entitled to the amount which has been expended by it in the maintenance of streets; and

WHEREAS, an agreement has been received by the City of Asheville authorizing this money to be paid to said City of Asheville:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor and City Clerk are hereby authorized and empowered to sign said agreement with the State Highway and Public Works Commission, said agreement being known as Street Maintenance Agreement.

I move the adoption of the foregoing resolution.

J. C. Vance
COUNCILMAN

SECONDED BY: Eugene Carland
COUNCILMAN

Read, approved and adopted, this 31st day of October, 1935.

P. M. Wells
MAYOR

P. C. Thompson
CITY CLERK

[illegible] Holmes Bryson, seconded by Councilman J. E. Divelbiss, [illegible] to execute quit-claim deed to property acquired by the [illegible] foreclosure suit was unanimously adopted.

RESOLUTION AUTHORIZING MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY [illegible] OF ASHEVILLE BY TAX FORECLOSURE SUIT.

[illegible] the City Council of the City of Asheville that on Septem[illegible] was sold by the City of Asheville, said land being acquired [illegible] foreclosure suit for delinquent taxes for the year 1928; a[illegible]

The [illegible] Times [illegible] sale was advertised once a week for four successive weeks in [illegible], after which the sale was conducted publicly at the court [illegible] as follows:

	LOT	SHEET	WARD	BID IN BY
[illegible]	60	14	6	R. E. Shuford

[illegible] the above property was not bid in at the sale by the [illegible] said listed owner, but it [illegible] appears that the tax department of the City of Asheville notified said listed owner by registered letter, said registered letter notifying the listed owner that the [illegible] was conducted on the above date and that the property was bid in [illegible] sheriff's sale, and directing the listed owner to appear in the office of the tax collector and file any objections to said sale; and

October 31, 1935

WHEREAS, said notice was mailed to the listed owner [illegible], and return receipt was signed by said listed owner, or [illegible], and not [illegible] department; and

WHEREAS, the required thirty days have expired and the said listed owner has not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the above property has been properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute quit-claim deed to the property listed above, said deed [illegible] as shown above, who was the highest bidder at the sale held on September 3, 1935, said deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidder upon payment of the taxes above referred to, together with cost of advertising, which amount is set forth in the deed, [illegible] for taxes for the years in which the title was vested in the City of Asheville.

I move the adoption of the foregoing resolution.

Holmes Bryson
COUNCILMAN

SECONDED BY: J. E. Divelbiss, Jr.
COUNCILMAN

Read, approved and adopted, this 31st day of October, 1935.

P. M. Wells
MAYOR

P. C. Thompson
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
ASSISTANT CORPORATION COUNSEL

[illegible]

City Manager, P. M. Burdette, reporting on investigation of the condition reported on Allen Street, stated this work has been included in [illegible] pavement projects and will be corrected in the near future.

[illegible] HILL ROAD-LIGHT

Mr. Burdette reported that he had investigated the request for a street light on Sand Hill Road in front of tabernacle, that on the benefit [illegible] justify the expense, he did not recommend this light be installed.

The reports of the City Manager were unanimously [illegible].

[illegible]

A resolution adopting the budget for the City of Asheville for the fiscal year beginning July 1, 1935 and ending June 30, 1936, was on motion of Councilman J. C. Vance, seconded by Councilman Eugene Carland, unanimously adopted.

RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JULY 1, 1935 AND ENDING JUNE 30, 1936.

WHEREAS, the City Manager of the City of Asheville presented to the City Council this the 31st day of October, 1935 the budget and budget message for the City of Asheville for the fiscal year beginning July 1, 1935 and ending June 30, 1936, and the budget as presented shows the amount to be expended for the [illegible] of the various Departments of the City of Asheville and the amount [illegible] for debt service as follows:

(a) General Government	$ 144,319.64
(b) Law	33,225.00
(c) Finance	23,093.84
(d) Public Welfare	36,788.40
(e) Public Safety	245,791.00
(f) Libraries	12,580.00
(g) Civil Service	1,360.00
(h) Public Works	234,021.96
(i) Engineering	7,191.76
Total operating	744,321.80
Debt service	365,000.00
Total Appropriations	$ 1,109,321.80

and

WHEREAS, the City Manager of the City of Asheville presented to the City Council on the day above mentioned the City of Asheville school debt service in the amount of $45,000.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the budget as presented to the City Council by the City Manager the 31st day of October, 1935 covering the City of Asheville operating and debt service appropriations and the City of Asheville school debt service, as outlined above, the total sum of $1,[illegible] for operating and debt service appropriations and $45,000.00 for the City of Asheville school debt service, be approved and the same is hereby adopted as the budget and debt service of the City of Asheville for the fiscal year 1935-1936.

I move the adoption of the foregoing resolution.

J. C. Vance
COUNCILMAN

SECONDED BY: Eugene Carland
COUNCILMAN

Read, approved and adopted, this 31st day of October, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. Hall Johnston
CORPORATION COUNSEL

Approved by the Board of Financial Control at its meeting held on the _____ day of _____, 1935.

_____
CHAIRMAN

ATTEST:

_____
SECRETARY

On motion of Councilman Carland, seconded by Councilman Bryson, An Ordinance prohibiting the use of sound trucks and/or loud speakers for advertising within the City limits of the City of Asheville was unanimously ordered laid on the table until the next meeting of the Council, and Councilmen Carland and Shuford and the City Manager were appointed to meet with any interested citizen in regard to this ordinance.

Ordered laid on table.

E. G. Thompson
City Clerk

November 7, 1935

Thursday, November 7, 1935 4:00 P. M.

The City Council met in regular session; Mayor Wells presiding. Present: Councilmen Holmes Bryson, Eugene Carland, J. E. Divelbiss, Jr., Robert F. Shuford, J. C. Vance, Jacob F. Weaver and R. M. Wells, City Manager, E. G. Thompson and Corporation Counsel J. Hall Johnston. The minutes of the previous meeting were read and approved.

ORDINANCE #220 - SOUND TRUCKS

Councilman Carland reporting on result of conference with parties interested in the ordinance prohibiting the use of sound trucks and/or loud speakers for advertising within the city limits of the City of Asheville, recommended that the ordinance be tabled for one week and that the City Manager may work out some method of reducing sound from [illegible] to the streets.

This recommendation was adopted.

STREET LIGHT

The request for a street light at the corner of Merrimon Avenue and Merrimon Place was on motion of Councilman Bryson, unanimously ordered referred to the City Manager and the City Engineer for report at the next meeting.

GROVE PARK PLAYGROUND

The request that the City provide a place for playground for baseball and football in the vicinity of Grove Park section was on motion of Councilman Vance, unanimously ordered referred to the City Manager and the Director of Parks.

JARRETT ROAD-CONGESTION

The complaint of congestion of traffic caused by parking on Haywood Road beyond Jarrett Street was referred to the City Manager to confer with the police department for relief.

ALLEN SCHOOL SIDEWALK

Dr. J. W. Holt, on behalf of the Allen School, requested that the City construct a sidewalk in front of the school.

This matter was on motion of Councilman Vance, unanimously referred to the City Manager and the City Engineer for investigation and report.

TAX FORECLOSURE SUIT

On motion of Councilman J. E. Divelbiss, Jr., seconded by Councilman Robert F. Shuford, Resolution authorizing the Mayor to execute quit-claim deed to property acquired in the City of Asheville by tax foreclosure suit was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on September 16, 1935, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suit for delinquent taxes for the year 1932; and

WHEREAS, notice of said sale appeared once a week for four consecutive weeks in The Asheville Times newspaper, after which the sale was held at the City-County Court House door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOTS	SUBD.	BLK.	BID IN BY
1930	J. G. Anderson and Lottie Lee	119 to 175 inc.	[illegible]	[illegible]	John B. Anderson

WHEREAS, it appears that the above property was not bid in at the sale by the listed owner, but it also appears that the tax department of the City of Asheville notified said listed owner by registered letter, said registered letter notifying the listed owner that the public sale was conducted on the above date and that the property was bid in as shown above, and requesting the listed owner to appear in the office of the tax collector and file any objection to said sale; and

WHEREAS, said notice was mailed to the listed owner on September 16, 1935 and return receipt was signed by said listed owner, and returned to the tax department; and

WHEREAS, the required thirty days have expired and the listed owner has not filed any objection to the sale; and

WHEREAS, it appears from a report of the [illegible] that the above property has been properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who was the highest bidder at the sale held on September 16, 1935, which deed is to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the

bidder ... amount of the taxes above referred to, together with cost of advertising, ... were ... to be set forth in the deed, whereupon title was vested in the City of Asheville.

... the foregoing resolution.

J. E. Divelbiss, Jr.
COUNCILMAN

... BY: Robert E. Shuford
COUNCILMAN

... adopted, this 7th day of November, 1935.

R. M. Wells
MAYOR

F. C. Thomson
CITY CLERK

... BY:
... C. ...
... of ... account.

A resolution authorizing the Mayor to execute quit-claim deed to former owner of property sold by the City of Asheville by tax foreclosure suit was on motion of Councilman J. E. Divelbiss, Jr., presented by Councilman Robert E. Shuford, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO FORMER OWNER OF PROPERTY SOLD BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on the 2... day of October, 1935, certain property was sold by the City of Asheville, said land being ... purchased by the City of Asheville by tax foreclosure suit for delinquent taxes for the ye... 1934; and

WHEREAS, notice of said sale appeared once a week for four successive weeks in ... Asheville Times newspaper, after which the sale was conducted publicly at the court house ... and bid in as follows:

CERTIFICATE	LISTED OWNERS	LOT	SHEET	WARD	REMARKS
1...	... ...shaine and wife, Eugenia; ... A. Collins and ... T.	32 & 33	20	5	Bid in by owners

WHEREAS, it appears that the above property was bid in at the sale by the list... owners, who ... the purpose of obtaining deed from the City of Asheville; and

WHEREAS, it appears from ... report of the tax collector that the above property ... sold for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

... Mayor of the City of Asheville be and he is hereby authorized and ... quit-claim deed to the property listed above, said deed to be made ... above, who was the highest bidder at said sale, which deed is to be ... City of Asheville who will deliver the same to the ... the 1934 taxes; together with cost of advertising, which amount is ... property for taxes for the years in which ... Asheville.

... the foregoing resolution.

J. E. Divelbiss, Jr.
COUNCILMAN

... Robert E. Shuford
COUNCILMAN

... adopted, this 7th day of November, 1935.

R. M. Wells
MAYOR

F. C. Thomson
CITY CLERK

... property owners for permission to use certain lots owned by the ... for ... on motion of Councilman Bryson, referred to the City Manager.

... adjourned.

Mayor R. M. Wells

F. C. Thomson
City Clerk

... The City Council met in ... session ... Councilmen Holmes ..., Eugene Cogburn, J. E. ... Vance, Jacob F. ... H. P. Wells, City Manager, ... Council, Philip C. ..., Jr. ... approved as corrected.

... Attorneys ... and James ... notices of claims ... Clerk for ... for personal injuries in the amount of $... amount of $5,000.00; Rosie Mathews for personal ... Mathews for ... in the amount of $...; and Maude ... desire in the amount of $1,... and Maude ... $5,000.00.

These claims were ordered filed ...

To the Honorable Mayor and Councilmen of the City of ... Asheville, North Carolina.

You will please take notice that the ... 244 of the City Charter of the City of Asheville, ... the City of Asheville, as a result of ... the same being claimants home on the ... claimant being ... by the City of ... a dam across the Swannanoa River, in ... for the purpose of impounding water on the ... which impounded water was, by the City of ... and was and is used by the City of Asheville, ... is known as the Asheville Recreation Park, ... a profit, which said damages to and de... or caused by negligence of the City of ... 1935, in that the City of Asheville was ...

In negligently constructing said lake ... the year, largely reducing the shore line, ... and more to become obstructed and ... vegetation.

In negligently failing to keep that ... underbrush and other vegetable matter ... immediate neighborhood of claimant's ... maintaining ... system of drainage ...

In negligently leaving in that said ... quantities of timber growth, through ... the shore line free circulation of the ... prevented, by reason whereof the shall ... vegetable matter left to decay.

In negligently, by reason of the ... unhealthy, and malarious condition ... condition was negligently ... indefinite period.

As a consequence of all of the ... the City of Asheville, malaria-bearing ... Lake Craig, near claimant's home, whereby ... ...ected, and the immediate vicinity in ... due to the presence of mosquitoes, and ... have to move out of his home in order to ... his family, and the property of the claim... of Fifteen hundred ($1500.00) Dollars, for ... through his counsel demands payment ...

... C. Curtis
... Counsel
... Claimant

November 14, 1935

J. L.

To the Honorable Mayor and Councilmen of the City of Asheville,
[illegible]:

You will please take notice that the undersigned, pursuant to Section 244 of the City Charter of the City of Asheville, hereby claims and demands damages of the City of Asheville, as a result of injury to, and sickness of the undersigned claimant, caused, or occasioned by the City of Asheville in the erection or construction of a dam across the Swannanoa River, in the County of Buncombe, State of North Carolina, for the purpose of impounding water on property owned by the City of Asheville, and which impounded water was, by the City of Asheville, known and designated as Lake Craig, and which water is used by the City of Asheville, in connection with, and as a part of the Asheville Recreation Park, operated for the amusement of the public at a profit, which said injury to and sickness of claimant was brought about, or caused by the negligence of the City of Asheville on or about the 28th day of August, 1935, in that the City of Asheville was negligent as follows:

In negligently constructing said lake from which water is drawn at various times of the year, largely reducing the shore line, thereby causing the shallow waters to become more and more obstructed and to become stagnant through the incessant growth of vegetation.

In negligently failing to keep that portion of the lake near claimant's home free from underbrush and other vegetable matter which was permitted to be and remain within the immediate neighborhood of claimant's home, and in negligently failing to install and maintain in the said lake system of drainage of said lake.

In negligently leaving in that said portion of Lake Craig near claimant's home, quantities of timber growth, through the accumulation of which in the shallow waters the shore line free circulation of the water near claimant's home was obstructed and prevented, by reason whereof the shallow waters were shaded and corrupted, and the vegetable matter left to decay.

In negligently, by reason of the aforesaid, setting up an unwholesome, unhealthful, and malignious condition along the shore line near claimant's home; which condition was negligently permitted by the City of Asheville to continue for an indefinite period.

As a consequence of all of the above mentioned conditions, due to the negligence of the City of Asheville, malaris-bearing mosquitoes were propagated along the margin of Lake Craig, near claimant's home, whereby claimant became infected, through bites of mosquitoes or otherwise, with malaria thus produced, and his health became so impaired, as a result of malarial fever contracted at his home, on the margin of Lake Craig, that he suffered greatly in mind and body, and continues to suffer, in the sum of Five thousand ($5000.00) Dollars, for which said amount the undersigned claimant, through his counsel, demands payment.

This the 14 day of November, 1935.

J. L. Clark, Claimant.
By Zeb F. Curtis
James S. Howell
Attorneys for Claimant

To the Honorable Mayor and Councilmen of the City of Asheville,
[illegible], North Carolina:

You will please take notice that the undersigned, pursuant to Section 244 of the City Charter of the City of Asheville, hereby claims and demands damages of the City of Asheville, as a result of injury to, and sickness of the undersigned claimant, caused, or occasioned by the City of Asheville in the erection or construction of a dam across the Swannanoa River, in the County of Buncombe, State of North Carolina, for the purpose of impounding water on property owned by the City of Asheville, and which impounded water was, by the City of Asheville, known and designated as Lake Craig, and which water is used by the City of Asheville, in connection with, and as a part of the Asheville Recreation Park, operated for the amusement of the public at a profit, which said injury to and sickness of claimant was brought about, or caused by the negligence of the City of Asheville on or about the 28th day of August, 1935, in that the City of Asheville was negligent as follows:

In negligently constructing said lake from which water is drawn at various times of the year, largely reducing the shore line, thereby causing the shallow waters to become more and more obstructed and to become stagnant through the incessant growth of vegetation.

In negligently failing to keep that portion of thelake near claimant's home free from underbrush and other vegetable matter which was permitted to ve and remain within the immediate neighborhood of claimant's home, and in negligently failing to install and maintain in the said lake system of drainage of said lake.

In negligently leaving in that said portion of Lake Craig near claimant's home, quantities of timber growth, through the accumulation of which in the shallow waters the shore line free circulation of the water near claimant's home was obstructed and prevented, by reason whereof the shallow waters were shaded and corrupted, and the vegetable matter left to decay.

November 14, 1935

In negligently, by reason of the aforesaid, setting up an unwholesome, unhealthful, and malignious condition along the shore line near claimant's home; which condition was negligently permitted by the City of Asheville to continue for an indefinite period.

As a consequence of all of the above mentioned conditions, due to the negligence of the City of Asheville, malaris-bearing mosquitoes were propagated along the margin of Lake Craig, near claimant's home, whereby claimant became infected, through bites of mosquitoes or otherwise, with malaria thus produced, and his health became so impaired, as a result of malarial fever contracted at his home, on the margin of Lake Craig, that he suffered greatly in mind and body, and continues to suffer, in the sum of Five thousand ($5000.00) Dollars, for which said amount the undersigned claimant, through his counsel, demands payment.

This the 14 day of November, 1935.

J. L. Clark, Claimant.
By Zeb F. Curtis
James S. Howell
Attorneys for Claimant

To the Honorable Mayor and Councilmen of the City of Asheville, North Carolina:

You will please take notice that the undersigned, pursuant to Section 244 of the City Charter of the City of Asheville, hereby claims and demands damages of the City of Asheville, as a result of injury to, and sickness of the undersigned claimant, caused, or occasioned by the City of Asheville in the erection or construction of a dam across the Swannanoa River, in the County of Buncombe, State of North Carolina, for the purpose of impounding water on property owned by the City of Asheville, and which impounded water was, by the City of Asheville, known and designated as Lake Craig, and which water is used by the City of Asheville, in connection with, and as a part of the Asheville Recreation Park, operated for the amusement of the public at a profit, which said injury to and sickness of claimant was brought about, or caused by the negligence of the City of Asheville on or about the 28th day of August, 1935, in that the City of Asheville was negligent as follows:

In negligently constructing said lake from which water is drawn at various times of the year, largely reducing the shore line, thereby causing the shallow waters to become more and more obstructed and to become stagnant through the incessant growth of vegetation.

In negligently failing to keep that portion of the lake near claimant's home free from underbrush and other vegetable matter which was permitted to be and remain within the immediate neighborhood of claimant's home, and in negligently failing to install and maintain in the said lake system of drainage of said lake.

In negligently leaving in that said portion of Lake Craig near claimant's home, quantities of timber growth, through the accumulation of which in the shallow waters the shore line free circulation of the water near claimant's home was obstructed and prevented, by reason whereof the shallow waters were shaded and corrupted, and the vegetable matter left to decay.

In negligently, by reason of the aforesaid, setting up an unwholesome, unhealthful, and malignious condition along the shore line near claimant's home; which condition was negligently permitted by the City of Asheville to continue for an indefinite period.

As a consequence of all of the above mentioned conditions, due to the negligence of the City of Asheville, malaris-bearing mosquitoes were propagated along the margin of Lake Craig, near claimant's home, whereby claimant became infected, through bites of mosquitoes or otherwise, with malaria thus produced, and his health became so impaired, as a result of malarial fever contracted at his home, on the margin of Lake Craig, that he suffered greatly in mind and body, and continues to suffer, in the sum of Five thousand ($5000.00) Dollars, for which said amount the undersigned claimant, through his counsel, demands payment.

This the 14 day of November, 1935.

J. L. Clark, Claimant.
By Zeb F. Curtis
James S. Howell
Attorneys for Claimant

To the Honorable Mayor and Councilmen of the City of Asheville, North Carolina:

You will please take notice that the undersigned, pursuant to Section 244 of the City Charter of the City of Asheville, hereby claims and demands damages of the City of Asheville, as a result of injury to, and sickness of the undersigned claimant, caused, or occasioned by the City of Asheville in the erection or construction of a dam across the Swannanoa River, in the County of Buncombe, State of North Carolina, for the purpose of impounding water on property owned by the City of Asheville, and which impounded water was, by the City of Asheville, known and designated as Lake Craig, and which water is used by the City of Asheville, in connection with, and as a part of the Asheville Recreation Park, operated for the amusement of the public at a profit, which said injury to and sickness of claimant was brought about, or caused by the negligence of the City of Asheville on or about the 1st day of September, 1935, in that the City of Asheville was negligent as follows:

by neglig[illegible] ...ing of said lake from which water is drawn at various ti... of the year, largely reducing the shore line, thereby causing the shallow waters to ... become obstructed and to become stagnant through the incessant gro... of vegetable matter.

In negligently failing to keep that portion of the lake near claimant's home f... from underbrush and other vegetable matter which was permitted to be and remain wit... in the immediate neighborhood of claimant's home, and in negligently failing to install ... adequate system of drainage of said lake.

In negligently leaving in that said portion of Lake Craig near claimant's home ... quantities of timber growth, through the accumulation of which in the shallow waters ... near the shore line free circulation of the water near claimant's home was obstructed ... and prevented, by reason whereof the shallow waters were shaded and corrupted, and ... the vegetable matter left to decay.

In negligently, by reason of the conditions aforesaid, setting up an unwholesome ... unhealthy condition along theshore line near claimant's home; which ... condition was negligently permitted by the City of Asheville to continue for an ... finite period.

As a consequence of all of the above mentioned conditions, due to the negligent ... of the City of Asheville, malaria-bearing mosquitoes were propagated along the margin ... of Lake Craig, near claimant's home, whereby claimant's property and home, has been ... depreciated in value, and the claimant, by reason of the presence of mosquitoes, and a malarious condition, that claimant is going to have to move out of his home in order to protect the health of himself and ... family, and the property of the claimant has been damages and ... depreciated in the sum of Fifteen hundred ($1500.00) Dollars, for which said amount ... the undersigned claimant through his counsel demands payment.

This November 14, 1935.

W. M. Mathews
By Zeb F. Curtis
James S. Howell
Attorneys for Claimant.

To the Honorable Mayor and Councilmen of the City of Asheville,
Asheville, North Carolina:

You will please take notice that the undersigned, Clarence Mathews, pursuant to Section 21 of the City Charter of the City of Asheville, hereby claims and demands of the City of Asheville, as a result of damages to real property owned by the claimant, the same being claimant's home on the shore line of Lake Craig, the said home of the claimant being depreciated by the City of Asheville in the erection and ... property also across the Swannanoa River, in the County of Buncombe, State ... Carolina, for the purpose of impounding water on the property owned by the City ... Asheville, and which impounded water was, by the City of Asheville, known and ... designated as Lake Craig, and was and is used by the City of Asheville, in connection with ... part of what is known as the Asheville Recreation Park, operated for ... amusement and benefit, or caused by negligence of the City of Asheville on or ... about the 14th day of November, 1935, in that the City of Asheville was negligent as follows:

In negligently constructing said lake from which water is drawn at various times of the year, largely reducing the shore line, thereby causing the shallow waters to become obstructed and to become stagnant through the incessant growth of vegetable matter.

In negligently failing to keep that portion of the lake near claimant's home free from underbrush and other vegetable matter which was permitted to be and remain within the immediate neighborhood of claimant's home, and in negligently failing to install and maintain an adequate system of drainage of said lake.

In negligently leaving in that said portion of Lake Craig near claimant's home quantities of timber growth, through the accumulation of which in the shallow waters near the shore line free circulation of the water near claimant's home was obstructed and prevented, by reason whereof the shallow waters were shaded and corrupted, and the vegetable matter left to decay.

In negligently, by reason of the conditions aforesaid setting up an unwholesome ... unhealthy condition along theshore line near claimant's home; which condition was negligently permitted by the City of Asheville to continue for an indefinite period.

As a consequence of all of the above mentioned conditions, due to the negligence of the City of Asheville, malaria-bearing mosquitoes were propagated along the margin of Lake Craig, near claimant's home, whereby claimant's property and home, has been depreciated in value, and the claimant, by reason of the presence of mosquitoes or otherwise, with malaria ... as a result of malarial fever contracted ... she suffered greatly in mind and body, and ... thousand ($5000.00) Dollars, for which said amount ... her consel, demands payment.

This the 14 day of November, 1935.

Clarence Mathews
By Zeb F. Curtis
James S. Howell
Attorneys for Claimant.

Mr. Burdette reporting on the request of ... Allen School on College Street, stated this ...

On motion of Councilman J. C. Vance, ... setting the budget for the City of Asheville for the ... ending June 30, 1936 was unanimously adopted.

RESOLUTION ADOPTING THE BUDGET FOR THE ... YEAR BEGINNING JULY 1, 1935 AND ENDING JUNE ...

WHEREAS, the City Manager of the City ... this the 14th day of November, 1935 the ... of Asheville for the fiscal year beginning ... Budget as presented shows the amount to be ... departments of the City of Asheville and ... follows:

(a)	General Government	
(b)	Law	
(c)	Finance	33,205.
(d)	Public Welfare	
(e)	Public Safety	
(f)	Libraries	
(g)	Civil Service	
(h)	Public Works	
(i)	Engineering	
	Total operating	
	Debt Service	
and	Total Appropriations	

WHEREAS, the City Manager of the City of Asheville presented to the City Council on the 1st above mentioned the City of Asheville school debt service in the amount of $45,000.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the budget as presented to the City Council by the City Manager on the 1st day of November, 1935 covering the City of Asheville operating and debt service requirements and the City of Asheville school debt service, as outlined above, the total being $1,091,301.80 for operating and debt service appropriations and $45,000.00 for City of Asheville school debt service, be approved and the same is hereby adopted as the budget and debt service of the City of Asheville for the fiscal year 1935-1936.

I move the adoption of the foregoing resolution.

J. C. Vance
COUNCILMAN

SECONDED BY: Eugene Carland
COUNCILMAN

Read, approved and adopted, this 14th day of November, 1935.

R. M. Wells
MAYOR

ATTEST: E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

ASSOCIATE CITY COUNSEL.

CORPORATION COUNSEL.

Approved by the Board of Financial Control at its meeting held on the ____ day of _____, 1935.

ATTEST: _____
CHAIRMAN

_____
SECRETARY.

On motion of Councilman J. C. Vance, seconded by Councilman Eugene Carland, Ordinance #233 entitled An ordinance adopting and appropriating the operating budget of the City of Asheville for the fiscal year 1935-1936 was unanimously passed on its first reading. All members of the Council voted in the affirmative.

On motion of Councilman Holmes Bryson, seconded by Councilman J. C. Vance, that the rule was suspended and this ordinance placed on its second and third readings passed unanimously; all members of the Council voted in the affirmative.

Councilman Bryson moved, seconded by Councilman Vance, that the ordinance pass on its second reading. The vote was taken, all members of the Council voted "aye", the ordinance was duly and legally passed on its second reading.

The ordinance was then placed on its third reading, on motion of Councilman Weaver, seconded by Councilman Vance, a vote was taken and the ordinance was unanimously passed on its third reading.

ORDINANCE # 233

AN ORDINANCE ADOPTING AND APPROPRIATING THE OPERATING BUDGET OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR 1935-1936.

At a meeting held on the 1st day of November, 1935 the City of Asheville adopted an operating budget in the amount of $729,301.80 with a debt service of $362,000.00, making total appropriations of $1,091,301.80 which budget was approved by the Board of Financial Control on the same date, as evidenced by a resolution of said Board;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the following operating budget is hereby adopted and the amounts hereinafter set forth for the operation of the different departments of the City of Asheville for the fiscal year beginning July 1, 1935 and ending June 30, 1936, inclusive:

(a) Management	129,319.64
(b) Law	33,325.00
(c) Finance	23,093.84
(d) Public Welfare	36,788.60
(e) Public Safety	245,701.00
(f) Civil Service	18,500.00
(g) Public Works	1,360.00
(h) Engineering	234,021.96
(i) Miscellaneous	7,191.76
Total Operating	729,301.80
Debt Service	362,000.00
Total Appropriations	1,091,301.80

Section 2. That a tax of $1.4[illegible] per $1[illegible] assessed within the corporate limits of the City of Asheville [illegible] and ordered to be collected in accordance with law [illegible]

Section 3. That the Director of Finance of the City of Asheville [illegible] to make the expenditures for the operation of the [illegible] debt service in accordance with the budget adopted [illegible]

I move the adoption of the foregoing [illegible]

SECONDED BY: J. C. Vance
COUNCILMAN
[illegible]
COUNCILMAN

The foregoing ordinance passed its first reading by an affirmative vote of 7 members of the City Council [illegible] placed upon its second and third readings, and [illegible] upon each of said readings became effective on the 14th day of November, 1935.

R. M. Wells
MAYOR

[illegible]
CITY CLERK

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
Asst. Corporation Counsel.

[illegible]

Upon the request of the City Manager, the Corporation Counsel presented to be presented to the North [illegible] Asheville and Carolina Power & Light Company, as [illegible] recently arrived at between the City of Asheville and [illegible] evidenced by motion adopted by the Council October [illegible] special bus transportation service for students [illegible] McDowell Street, in which petition the North Carolina [illegible] approve the said agreement in so far as it relates [illegible] the students of said school, and the use by them [illegible] Power & Light Company's now existing bus transportation [illegible] meeting by transfer to and from said special bus [illegible] agreement.

The Corporation Counsel having read the [illegible] Holmes Bryson moved that the City of Asheville become [illegible] Light Company in applying to the North Carolina [illegible] agreement in so far as it relates to the establishment [illegible] of said school and the use by them of special [illegible] Company's now existing bus transportation lines [illegible] to and from said special bus service to said school [illegible] the Corporation Counsel of the City of Asheville [illegible] in the name of, for, and in behalf of the City of [illegible] Councilman Jacob F. Weaver, and after discussion a vote was taken [illegible] in the affirmative and no Councilmen having voted in the [illegible] adopted.

[illegible]

On motion of Councilman Eugene Carland, [illegible] authorizing the Mayor to execute [illegible] tax foreclosure suit was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE [illegible] PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE [illegible]

WHEREAS, it appears to the City Council of the City of Asheville that [illegible] 1935, certain property was sold on the [illegible] City of Asheville by tax foreclosure suit for [illegible] 1933 and 1934; and

WHEREAS, notice of said sale was duly [illegible] Asheville Times newspaper, after which [illegible] door and bid in as follows:

CERTIFICATE	LISTED OWNER	LOT	SUBDIV.	TAX	BID IN BY
6590	W. F. Kilpatrick	63	13		[illegible]
6747	Mabel F. Starnes	224	13		[illegible]
2109	Mrs. Maggie P. Starnes	227	13		[illegible]

WHEREAS, it appears that the above [illegible] owners, but it also appears that the tax [illegible] listed owners by registered letters, said registered letters notifying the listed owners that the public sale was conducted on the above date and that the property was bid in as shown above, and requesting the listed owners to [illegible] and file any objection to said sale; and

...property, ... mailed to the listed owners on October 14, 1935, and ... returned by said listed owners, and returned to the tax department; and

... have expired and the listed owners have not filed ... ; and

... from ... account of the tax collector that the above property has ...

... BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

... of the City of Asheville be and he is hereby authorized and empowered ... the property listed above, said deeds to be made to the ... highest bidder at the sale held on October 14, 1935, ... to the Tax Collector of the City of Asheville who will ... payment of the taxes above referred to, together with ... as set forth in the deeds, together with the listing ... in which the title was vested in the City of ...

... the foregoing resolution.

Eugene Carland
COUNCILMAN

...:
J. C. Vance
COUNCILMAN

... adopted, this 14th day of November, 1935.

R. M. Wells
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
Phillip C. Cocke, Jr.
ASSIST. CORPORATION COUNSEL

... withdrawn.

E. G. Thompson
City Clerk

Thursday, November 21, 1935- 4:30 P. M.

The City Council met in regular session; Vice-Mayor Bryson presiding. Present: Councilmen Julian Bryson, Eugene Carland, J. F. Divelbiss, Jr., Robert E. Shuford, J. C. Vance, City Manager F. W. Coxe, City Attorney P. M. Burdette and Corporation Counsel A. Hall Johnston. The minutes of the previous meeting were read and approved.

... made a motion, which was seconded by Councilman Jacob F. ... taken from the table. A roll-call was taken, all members ... affirmative.

... Shuford moved, seconded by Councilman J. F. Divelbiss, Jr., ... an ordinance prohibiting the use of sound trucks and/or ... within the city limits of the City of Asheville be passed on ... taken, all members of the Council voted "aye", the ordinance ...

ORDINANCE #232

... THE USE OF SOUND TRUCKS AND/OR LOUD SPEAKERS ... CITY LIMITS OF THE CITY OF ASHEVILLE.

... CITY COUNCIL OF THE CITY OF ASHEVILLE:

... shall be unlawful for any person, firm or corporation, or their ... in operation any sound truck or any loud speaker and to ... public streets of the City of Asheville at any time for advertising purposes.

Section ... for ... person, firm or ... any other person ... collecting or ... shall be subject to ... fifty ($50.00) ... and ...

Section ... all laws and ... the same are hereby repealed.

I move ... of the ... ordinance.

... Moore
... Carland
... Vance

SECONDED BY: ... Bryson
... Shuford

Read, ... and adopted, this 21st ... according to statute on the 7th day of December, 1935.

R. M. Wells
Mayor

... Thompson
City Clerk

APPROVED AS TO FORM:
A. Hall Johnston
CORPORATION COUNSEL.

Mr. Fred L. Sale, attorney for Mrs. ... personal injury and damages against the City of ... which was ordered referred to the Corporation ... and ...

TO THE HONORABLE MAYOR, THE CITY ... OF THE CITY OF ASHEVILLE, NORTH CAROLINA.

You will hereby take notice ... hereinafter referred to as claimant, ... and claim for damages against the City of ... Enemy ... of personal injury ...

Be-wit, that on the 7th day of ... in the Water Department of the City Hall ... refuse or debris, then on the floor of the said ... the City of Asheville, causing her to fall ... or sprain of her ankle, necessitating ... Seventeen Dollars and Seventy Five Cents ($17.75) ... confinement and inconvenience and loss of ... of value in at least the sum of Five ...

Therefore, claim is hereby ... Hundred and Seventeen Dollars and Fifty Cents ($517.50) ... said fall occasioned by the negligence of the ... said Water Department in a safe condition for the ... persons lawfully entering said department ...

You will further take notice ... enforce settlement of this claim within the time ... in such cases.

This the 21st day of November ...

...

Mr. Burdette read a communication from Mr. ... Library Board asking the Council's approval of ... Mr. Sondley's will to dispose of certain notes ...

This matter was unanimously ordered referred to ... Eugene Carland and Councilman J. C. Vance.

On motion, adjourned.

Mayor R. M. Wells

[illegible] Thursday, November 29,1935-4:30 P.M.

[illegible] in regular session: Mayor Wells presiding. Present; [illegible] Carland, J. C. Vance, E. M. Wells and Corporation Counsel [illegible]

[illegible] of the previous meeting were read and approved.

[illegible] from the Asheville Chapter of the Daughters of the American [illegible] permission to erect a memorial to Samuel Ashe for whom Asheville was [illegible] Pack Square as possible. It will consist of a bou[illegible] and would be located. It was moved by Councilman Bryson, seconded by [illegible] Councilmen Newman, Divelbiss and Shuford, together with City Manager [illegible] committee to confer with officials of the chapter and reach an agree[illegible]

[illegible] authorizing the Mayor to execute quit-claim deeds to property acquir[illegible] foreclosure suits, was on motion of Councilman Bryson, [illegible] adopted.

[illegible] AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEEDS TO [illegible] TO THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS

[illegible] to the City Council of the City of Asheville that on [illegible] land in said city was sold by the City of Asheville, said land being [illegible] Asheville by tax foreclosure suit for delinquent taxes for the [illegible]

[illegible] said sale was once a week for four successive weeks [illegible] after which the sale was conducted publicly at the court [illegible] as follows:

		LOTS	SUBMITS	WARDS	BID IN BY
[illegible]	[illegible]	65	12	3	P. A. Puterbau[illegible]
[illegible]	[illegible]	095	1	4	Elizabeth Ell[illegible]
[illegible]	[illegible] Block	107, 108 & 109	1	6	W. S. Harrison[illegible]
[illegible]	[illegible]	73	6	6	P. E. Shuford [illegible]

[illegible] that the above property was not bid in at the sale by the li[illegible] the tax department of the City of Asheville notified sa[illegible] said registered letters notifying the listed owners [illegible] above date and that the property was bid in as shown [illegible] owners to appear in the office of the tax collector and [illegible]

[illegible] were mailed to the listed owners on October 28, 1935, and [illegible] said listed owners and returned to the tax department, exc[illegible] Hamilton Block, which letters were returned by the post o[illegible] of the City of Asheville marked "Unclaimed from Asheville[illegible]

[illegible] days have expired and the said listed owners have [illegible]

[illegible] report of the tax collector that the above property h[illegible]

[illegible] BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

[illegible] of Asheville be and he is hereby authorized and empow[illegible] property listed above, said deeds to be made to the hi[illegible] at Bidders at the sale held on October 28, 1935, which [illegible] Tax Collector of the City of Asheville who will deliv[illegible] of the taxes above referred to, together with cost [illegible] set forth in the deeds, together with the listing of the [illegible] title was vested in the City of Asheville.

[illegible] foregoing resolution.

Holmes Bryson
Councilman

Seconded by: J. C. Vance
Councilman

[illegible] and, this 29th day of November, 1935.

E. M. Wells
Mayor

Glenn Morris
City Clerk

Approved as to Form:
Philip C. Cooke, Jr., Asst. Corporation Counsel.

Corporation Counsel, A. Hall Johnston was requested to represent the City of Asheville at a court hearing on reduction of telephone rates over the State to be held in Raleigh December 2.

[illegible]

Councilman Bryson proposed to the City Council that the police be called upon to assist the police in preventing accidents on our roads and streets by preventing traffic law violations to the officers. The Council was impressed with the idea and Mr. Bryson and other members of the Council will make a further study of the question and will bring it up at another meeting.

On motion, adjourned.

Mayor [illegible]

[illegible]

[illegible] regular session: Mayor Wells presiding. Present: Councilmen Holmes Bryson, Fletcher Carland, J. C. Vance, Jr., Robert R. Shuford, Jr., J. C. Vance, Jacob F. Weaver, E. M. Wells, Corporation Counsel A. Hall Johnston and Assistant Corporation Counsel Philip C. Cooke, Jr. The minutes of the previous meeting were read and approved.

[illegible]

It was moved by Councilman Carland, seconded by Councilman Weaver that the Secretary to the City Manager, Mrs. Morris, be instructed to write Mr. [illegible] of the Council voted in the affirmative.

[illegible]

Attorney Douglas Carter presented a claim of [illegible] Billings for personal injury to Mrs. Billings in the sum of $[illegible]. On motion this was referred to the Corporation Counsel and City Manager.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

IN RE: CLAIM OF MYRTLE BILLINGS AGAINST CITY OF ASHEVILLE

[illegible] OF CLAIM AND DEMAND FOR DAMAGES.

TO THE CITY OF ASHEVILLE; D. M. [illegible], City Manager, AND TO THE MAYOR AND CITY COUNCIL OF THE CITY OF ASHEVILLE:

You are hereby notified of the claim and demand of Myrtle Billings of Weaverville, N. C., a citizen and resident of Buncombe County, State of North Carolina, arising out of the following state of facts, to-wit:

(1) Heretofore, to-wit, on the 3rd [illegible] 1935, while the claimant and her husband, F. J. Billings, were lawfully traveling in Buncombe County, N. C., between Hickory Nut Gap and Chimney Rock, on the [illegible] known as Federal Highway No. 74, in an automobile owned by the claimant and carefully and lawfully driven at the time by her said husband, said automobile was struck with great force and violence by a motorcycle owned by the City of Asheville [illegible] in the service of said City, and under the express authorization of said city, by its [illegible] employee, one Charles W. Dermid, and with the direct and necessary result and consequence that the claimant was caused to suffer property loss, injury and damage in at least the amount of Three Hundred and Fifty Dollars ($350.00), as nearly as claimant can ascertain the same.

(2) The claimant's loss, injury and damage aforesaid was caused proximately ans solely by the unlawful, reckless and negligent conduct of the City's said agent and employee, inter alia, in driving at an unlawful and dangerous speed, on the wrong side of the road, and without keeping any proper lookout either for road conditions or approaching traffic.

...Cittle said agent and employee was, by the ...at the time of claimant's injury aforesaid, and ...injury directly resulted, was wholly of a governmental ...to the governmental duties which the ...

...hereby formally claims and demands damages from the City of ...in the amount of Three Hundred and Fifty ...filed this notice of such her claim and demand, ...

...December, 1927.

Mittie Billings

By: Carter and Carter
Her Attorney at Law.

...Mayor and City Council in open session, copy handed to R. M. ...and the same filed with the Acting Clerk, with the ...of said City Council, this the 5th day of ...

...representing the Standard Oil Company, requested that the ...to have the Standard Oil Company's safety ...of the City next Thursday (Dec. 13). He spoke of the ...residents through its safety demonstrations. It was moved by Councilman Dyerly that the City Manager be asked to ...cooperate with Mr. Goodson and his company".

...representing the merchants on Patton Avenue, requested ...in stopping the nuisance of children begging in their ... Mayor Wells expressed deep interest on the part of the ...Judge of the Juvenile Court to correct this ...

...Councilman W. Hall Johnston made a written report on the telephone ...which Mayor Wells and he attended. He reported ...considerable reduction in rates ...

...Councilman Vance, seconded by Councilman Weaver that a resolution ...Mayor, City Clerk, expressing the deep sympathy ...be engrossed for next regular session. The following ...resolution: Councilman Cunliffe, Councilman Vance ...

...the Mayor of the City of Asheville to issue his writ ...Avenue was unanimously adopted.

...AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE ...HIS WRIT IN THE PROPOSED WIDENING OF PATTON AVENUE

...appointed special agent for the City of Asheville ...agreement with property owners affected by the ...Avenue; and

...Ward reports to the Mayor and City Council that ...owners affected by the proposed improvement, and has ...following property owner, namely: The Patton ... of Lots 184 and 185, Sheet 1, Ward 3; and this being ...said agent is unable to reach an agreement with;

...BE RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE

December 5, 1927.

...

...

...

...and be is hereby authorized and empowered ...
...herein listed above, said deed to be made to the ...
...at the sale held on October 23, 1925, which ...
...Asheville who will deliver ...
...the above named parties referred to, together with the ...
...set forth in the deed, together with the listing of the ...
...whereby the title was vested in the City of Asheville.

...foregoing resolution.

Eugene Garland
COUNCILMAN

J. C. Vance
COUNCILMAN

...day of December, 1925.

E. W. Wells
MAYOR

CLEM MORRIS
CITY CLERK

...

Glenn Mc...
CITY CLERK

Thursday, December 10, 1925-- 4:30 P.M.

...in regular session: Mayor Wells presiding. Present ...
...Councilmen J. E. Rivelbise, Jr., Robert F. Stuford, J. C. ...
...Weaver, Corporation Counsel A. Hall Johnston and Assistant ...
...Committees of the previous meeting were read ...

...Corporation Counsel, reported that the case of Lon Powers ...
...Counsel for the City dismissed for the reason ...
...in a former decision of the Supreme Court, with the ...

...Clerk of the Juvenile Court reported that the complaint ...
...with children begging and selling flowers in the ...
...had been handled by the Juvenile Court. A special ...
...visiting in the homes and working with the parents, ...
...He said that he and Chief Everett would continue ...

...for the Mayor to execute quit-claim deed to property ...
...by foreclosure suit, was upon motion of Councilman ...
...Weaver, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUIT-CLAIM DEED TO PROPERTY OWNED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT

...Council of the City of Asheville that on ...
...sold by the City of Asheville, said land being ...
...by tax foreclosure suit for delinquent taxes for the ...

...of said sale appeared once a week for four successive weeks ...
...after which the sale was conducted publicly at the court ...
...as follows:

December 10, 1925

...

...recently has been ...

NOW, THEREFORE, BE IT ...

WHEREAS:

...the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute quit-claim deed to the hitherto shown above, who were ... deed is to be made upon payment of ... the same to the bidders upon payment of ... which amount is set forth in the deed, and ... vesting in the City of Asheville the title ... ers in which the title was vested in the ... of said sale.

I move the adoption of the foregoing resolution.

SECONDED BY:

...

SECONDED AS TO FORM:
PHILIP C. COCKE, JR.
ASSISTANT CORPORATION COUNSEL

RESOLUTION

Resolution authorizing the Mayor ... owner of property acquired by the City of ... motion of Councilman Robert F. Stuford, ... duly adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUIT-CLAIM DEED TO FORMER OWNER OF PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT

WHEREAS, it appears to the ... December 9, 1925, certain property ... acquired by the City of Asheville ... year 1928; and

WHEREAS, notice of said ... ...ks in The Asheville Times ... at the court house door and bid in as follows:

CERTIFICATE
725 V

LIST OF OWNERS

John Burns and
wife Rebecca

WHEREAS, it appears that ... listed owners, who are desirous of obtaining ... property has been ... erroneously listed for taxes;

NOW, THEREFORE, BE IT ...

...the City of Asheville be and he is hereby authorized ... to deed to the property listed above, said deed to be ... shown above, who was the highest bidder at said sale, which deed ... to the Tax Collector of the City of Asheville who will deliver the ... payment of the 1928 taxes, together with cost of advertising, ... to the deed, and the listing of the property for taxes for the ... in the City of Asheville.

... the foregoing resolution.

Robert C. Shuford — Councilman

Seconded by: Jacob F. Weaver — Councilman

... and adopted this 12 day of December, 1935.

R. M. Wells
Mayor

Glenn Morris
City Clerk

...to form:

Phillip C. Cook, Jr.
...Corporation Counsel

... read from Mrs. William C. Lyde thanking the Council for ... of her mother, Mrs. E. G. Thompson.

... of the City Council of the City of Asheville regretting the ... Mrs. Elizabeth G. Thompson, City Clerk, upon motion of Councilman Carland, ... to motion by Vance, unanimously adopted.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE
REGARDING THE DEATH OF MRS. ELIZABETH G. THOMPSON,
CITY CLERK

WHEREAS, the City Council of the City of Asheville having with sincere ... received information of the death of Mrs. Elizabeth G. Thompson, ... of the City of Asheville; and

WHEREAS, Mrs. Thompson having served as a city official since the year ... City Treasurer, Assistant Secretary Treasurer, and City ...;

NOW, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE ...

... the official appreciation of the City of Asheville for ... of the deceased as a citizen who has always been active ... progress of the community in which she resided, and as an ... wife of excellent ability, always deeply interested in the ... business, and as a servant of the citizens of this community ... time to serve the citizens to the best of her ability; ... mother and her pleasant personality will always be ... well.

... mark of respect this meeting of the City Council be adjourned ...

... be and she is hereby directed and instructed to ... minutes of the official proceedings of the City Council ... members of her family.

... the foregoing resolution.

Eugene Carland
COUNCILMAN

Seconded By; J. C. Vance
COUNCILMAN

... and adopted, this 12th day of December, 1935.

R. M. Wells
Mayor

Glenn Morris
City Clerk

APPROVED AS TO FORM:
A. Hall Johnston - Corporation Counsel

December 12, 1935.

... meeting was upon motion, adjourned.

Mayor R. M. Wells — Glenn Morris, City Clerk.

... December 16, 1935 ... P. M.

The City Council met in regular session: Mayor Wells presiding. Present: Councilman Holmes, Lawrence Carland, J. C. Vance, Jacob F. Weaver, E. W. Wells, C. M. Burdette, City Manager, A. Hall Johnston, Corporation Counsel, and Assistant Corporation Counsel Phillip C. Cook, Jr. The minutes of the last regular meeting were read and approved.

On motion of Councilman Carland, seconded by Councilman Weaver, an ordinance providing for the collection of fees for work in connection with the City of Asheville was unanimously passed on its first reading. A roll call was taken and Councilman Holmes voted "aye"; Councilman Carland voted "aye"; Councilman Vance voted "aye"; Councilman Weaver voted "aye"; and Councilman Wells voted "aye".

Resolution authorizing the Mayor to execute ... deeds to property acquired by the City of Asheville by tax foreclosure suits was on motion of Councilman Weaver, seconded by Councilman Carland unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEEDS TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS.

WHEREAS, it appears to the City Council of the City of Asheville that on November 18, 1935, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suits for delinquent taxes for the years 1927 and 1928; and

WHEREAS, notice of said sale was published ... in The Asheville Citizen newspaper, after which time said property was exposed to public sale at the court house door and bid in as follows:

DESCRIPTION	LISTED OWNERS	...	...	...	BID IN BY
1290	W. J. Collins et ux Minnie T.	2 and ...	...	...	Frank C. Hall and Julius C. Hall
4550	Elbert Hollifield	08 and 09	...	...	T. J. Shuford
4551	W. B. Hollifield	10 and 11	...	...	R. F. Shuford

WHEREAS, it appears that the above property was not bid in at the sale by the listed owners, but it appears that the tax department of the City of Asheville notified said listed owners by registered letters, said registered letters notifying the listed owners that the public sales were conducted on the above date and that the property was bid in as shown above, and requesting the listed owners to appear in the office of tax collector and file any objection to said sale; and

WHEREAS, said notices were mailed to the listed owners on November 18, 1935, and return receipt was signed by one of said listed owners and returned to the tax department, and the notices to Elbert Hollifield and W. B. Hollifield were returned by the post office department to the tax department of the City of Asheville marked "Unknown"; and

WHEREAS, the required thirty days have expired and the said listed owners have not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the above property has been properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

November 14, 1935

...of the City of Asheville be and he is hereby authorized and ...the property listed above, said deeds to be made ...said deeds to be made to the bidders as shown above, who ...November 13, 1935, which deeds are to be turned ...of the City of Asheville who will deliver the same to the bidders ...cost of advertising, which amounts ...with the listing of the property for taxes for the year ...City of Asheville.

...resolution.

Jacob F. Weaver
COUNCILMAN

Eugene Garland
COUNCILMAN

...this 13 day of December, 1935.

E. M. WELLS
MAYOR

GLENN MORRIS
CITY CLERK

...

...voted unanimously to postpone the next regular meeting of the ...December 27, at 2:30 o'clock.

...

Glenn Morris
City Clerk

Friday, December 27, 1935 - 2:30 P.M.

...met in regular session: Mayor Wells presiding. Present: ...Councilmen Garland, Jacob F. Weaver, E. M. Wells, J. M. Burnette, ...Assistant Corporation Counsel. The minutes of the previous ...

...entitled "An Ordinance providing for the collection of fees ...on its second reading, a vote taken all Councilmen present ...was duly passed and adopted on its second reading.

...business, on motion, adjourned.

Glenn Morris
City Clerk

...

...

...Councilmen Garland, J. C. Blythe, Jr., J. C. Weaver, Jacob F. Weaver, E. M. Wells, J. M. Burnette, City Manager, A. Hall Johnston, Assistant Corporation Counsel. The minutes of the previous ...

Robert L. Smith, Attorney, ...authorize the Mayor to execute quit-claim ...deeds and releases.

On motion of Councilman J. M. Burnette, ...resolution authorizing the Mayor to execute quit-claim deeds ...City of Asheville ...

RESOLUTION AUTHORIZING ...

WHEREAS, ... December ..., 1935, ... lead to ... ... for the ... ...

WHEREAS, notice of said sale ... weeks in the Asheville ... ... published in the issue ...

Number	Tax Year	Name	Amount
5123		E. V. Ashworth	
4146		J. Gordon Lee	

... listed and ..., but it does ... Asheville notified said listed owners ... letters notifying the listed owners that ... above described that the property was ... listed owners to appear in the office ... to said sale; and

WHEREAS, said notices were mailed ... and notice was placed ... ... published in the tax department; and

WHEREAS, the ... ...

...Carland, seconded by Councilman Jacob F. Weaver, ... unanimously adopted.

...SPONSORING MOTOR SAFETY CAMPAIGN

...of deaths and injuries from automobile accidents ... command the serious attention of all ...

... effort is now being initiated to provide ... streets and highways;

...:

... City of Asheville endorses the campaign for ... Buncombe County, and commends ... campaign, in use of individual agreement cards, ... stop-window seals, and the services of citizens ... advancement of the campaign; and

...; the Council hereby expresses its appreciation ... the newspapers which shall participate in ... campaign, and the Council pledges its cooperation and ... people of the City organization in making the campaign ...

... foregoing resolution.

Eugene Carland
COUNCILMAN

...:

JACOB F. WEAVER
COUNCILMAN

... adopted, this 2nd day of January, 1935.

P. M. Wells
Mayor

Glenn Morris
City Clerk

... entitled "An Ordinance providing for the collection of fees ... on its third and final reading. A roll call was taken, ... "Aye".

ORDINANCE NO. 234

... PROVIDING FOR THE COLLECTION OF FEES FOR MEAT INSPECTION

... BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

... That no person, firm or corporation shall sell or offer ... to the City of Asheville unless the same shall have been ... Meat Inspector.

... That it shall be the duty of every person, firm or corporation ... or otherwise by ordinance required to pay ... the following inspection fees, to-wit:

25¢	each carcass
20¢	each carcass
15¢	each carcass
10¢	each carcass
15¢	each carcass

... That if such meat bears the approval of the United States ... inspection or inspection-fee shall be required.

... That the Chief Accountant of the City of Asheville be and ... hereby, directed and empowered to formulate a system for collecting ... provided for, and each inspector collecting fees herein provided ... required to give a bond in a bonding company licensed to do business ... Carolina in the sum of One Thousand ($1,000.00) Dollars ... faithful performance of his duties in the collection of the fees ...

January 2, 1935.

... visions of this ordinance shall be subject ... for each and every such offense.

... That all ordinances or parts of ordinances in conflict ... with be and the same are hereby repealed, and this ordinance shall ... 6th day of March, 1935, and be in force from and after ...

... the adoption of the foregoing ordinance ... 1935.

SECONDED BY:

... approved and adopted this 2nd day of January, 1935, ... effective the 2nd of January, 1935.

APPROVED AS TO FORM:
J. Will Johnston
CORPORATION COUNSEL.

On motion of Councilman Carland, seconded by Councilman Weaver, resolution ... fixing the jury amount in county and Superior Court was unanimously adopted.

RESOLUTION

RESOLUTION ADOPTING THE NEW BASIS OF ASSESSMENT ... JACKSON AVENUE

WHEREAS, a jury of six freeholders was duly and ... assembled in the Mayor's office on March 4, 1935; and

WHEREAS, said jury viewed the property of D. W. Patton ... set to situate on Patton Avenue and Jackson Avenue ... proposed benefits and damages:

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the report of said jury ... be and the same is hereby ... confirmed.

I move the adoption of the foregoing resolution.

SECONDED BY:

Read, approved and adopted, this 4th day of March, 1935.

P. M. Wells
Mayor

Glenn Morris
CITY CLERK

APPROVED AS TO FORM:

Philip C. Cocke, Jr.
ASSISTANT CORPORATION COUNSEL.

Eliza Jones, colored, complained of water bills for her houses situated on Max Street and Rhoda Street. This was referred to the City Manager.

On motion, adjourned.

Mayor P. M. Wells

Glenn Morris
City Clerk

Wednesday, January 6, 1926.--4:30 P.M.

...Council was called to order by Mayor Wells: Present, Councilmen John ... E. Hall Johnston, and Assistant Corporation ... Jr. ... look of a quorum, the meeting was ...

Glenn Morris
City Clerk.

Thursday, January 14, 1926. 7:30 P.M.

... session: Mayor Wells presiding. Present: ... Jacob F. Weaver, Robert M. Wells, P. M. Pruitt ... Corporation Counsel, and Julian C. Cooke, Jr., Assistant ... the minutes were read and approved.

..., presented resolution authorizing the Mayor to ... Mrs. Ida C. Dixon for two lots on Sand Hill Road. On motion ... Councilman Garland, the motion was unanimously adopted ...

RESOLUTION AUTHORIZING MAYOR TO EXECUTE QUIT-...

... October 21, 1920 the Engineering Department forwarded ... section of the Corporation Counsel; and

... deeds were made to certain property owners for the ... opening and widening of Haywood Road; and

... have been released; and

... claim for Lots 210-A and 210-A, Street ...

... it is the opinion of the Corporation ... is entitled to deed to this property;

... BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ...

... duly authorized to execute quit-claim deed to ... Lots 210-A and 210-A, Sheet 12, Ward 5.

... the foregoing resolution.

Jacob F. Weaver
COUNCILMAN

... BY: Eugene Garland
COUNCILMAN

... adopted this 14th day of January, 1926.

E. M. Wells
MAYOR

GLENN MORRIS
CITY CLERK

January 14, 1926.

... Council met ... Mayor Wells. ... motion ... adjourned.

... will ... Street ... Ward ... sale by ... City of ... market ... dated ... requesting ... file ... objection to said sale: ...

... 1925, and ... to the ... Department, ... turned to ... Asheville ... "Unclaimed" ...

... owners have not filed any objections ...

... amounts have been properly ...

... ASHEVILLE:

... the Mayor of the City ... and ... deeds ... at the ... my Collector of the City of Asheville ... upon ... which amounts ... property ... Asheville.

... the adoption of ...

... moved ...

APPROVED AS TO FORM:
Julian C. Cooke, Jr.
Assistant Corporation Counsel.

[illegible] seconded resolution authorizing the Mayor [illegible] acquired by the City of Asheville by tax foreclosure [illegible] seconded by Councilman Weaver the resolution was [illegible]

[illegible] AUTHORIZING THE MAYOR TO EXECUTE [illegible] DEEDS TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT

[illegible] Council of the City of Asheville that on [illegible] lots, parts of properties were sold by the City of [illegible] title to the City of Asheville by tax foreclosure [illegible] 1927 and 1928; and

[illegible] sales were held for four consecutive weeks [illegible] from which the sales were postponed while [illegible] as follows:

	OFFERS	OWNERS	WARD	REMARKS
[illegible]	68	17	2	Bid in by owners
[illegible]	139	7	6	Bid in by owner

[illegible] property was bid in at the sale by the [illegible] funds from the City of Asheville; and

[illegible] report of the tax collector that the above property [illegible]:

[illegible] BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

[illegible] Asheville be and he is hereby authorized and [illegible] deeds to the lots only listed above, said deeds to [illegible] who were the highest bidders at said sales, [illegible] the Tax Collector of the City of Asheville who [illegible] to the bidders upon payment of the 1927 taxes on certificate [illegible] certificate #15, together with cost of advertising, [illegible] deeds, and the listing of the property for taxes for the [illegible] to the City of Asheville.

[illegible] of the foregoing resolution.

Eugene Garland
COUNCILMAN

[illegible]: Jacob F. Weaver
COUNCILMAN

[illegible] this 14th day of January, 1936.

R. M. Wells
MAYOR

Glenn Morris
CITY CLERK

[illegible] Weaver, seconded by Councilman Garland, resolution [illegible] City Manager to settle notes belonging to the City of [illegible].

[illegible] AUTHORIZING AND EMPOWERING THE CITY MANAGER [illegible] NOTES BELONGING TO THE CITY OF ASHEVILLE

[illegible] 25, 1933, the City acquired title from the [illegible] amounting to $2,156,153.64 of notes for the sum of $180.00. [illegible] collateral for the city in the old Central Bank [illegible] which in due course of time became the property of the [illegible]; and

[illegible] May when 25, 1933 the City became sole owner of the above [illegible]

[illegible] the petition of the Liquidating Agent for the Board of [illegible] City Accountant, R. E. Currance, that these notes [illegible] months, or:

[illegible] BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF [illegible]:

[illegible] City Manager is hereby authorized and empowered to settle any [illegible] notes in any amount he deems advisable, and the action of the [illegible] City Manager in this matter shall be final.

[illegible]

[illegible]

[illegible]

"	.14	2.05
"	.[illegible]	25.40
"	.17	11.75
"	.11	2.53
"	.[illegible]	6.32
"	.[illegible]	.47
"	.66	2.34
"	.10	.23
"	.30	6.00
"	.35	11.75
"	.19	10.45
"	.10	7.22
"	.10	7.03
"	.20	3.60
"	.55	15.95
"	.30	9.00
"	.27	8.10
"	.24	10.20
"	.55	3.90
"	.55	7.15
"	.10	.76
"	.45	1.60
"	.26	20.62
		$ 350.61

[illegible] ...ber for painting
[illegible], tile ...floating
[illegible] the same; furnish
[illegible] and remove water
[illegible] and paint all new work-18.50

[illegible] ...will [illegible] ...forgoing claim
[illegible], we are

Very truly yours,

THE LEADER DEPARTMENT STORE, INC.
BY S. I. Blumberg
President

[illegible], attorney, complained of traffic conditions in Kenilworth, and [illegible] was referred to the City Manager.

[illegible], representing the Fanny Patton Chapter of the U.D.C., ... to remove shubbery from around Vance monument on Pack Square ... the inscription would be visible to citizens and ... to the City Manager.

... representing the Jay Pax Stores, filed protest against the ... small amounts of seed. This was referred to the com... this time.

... moved, seconded by Councilman Vance, that the ... 20, at 12 o'clock.

Glenn Morris
City Clerk

Monday, January 20, 1936--12 o'clock Noon

... business, the Mayor again recessed the meeting until Tuesd...

Glenn Morris
City Clerk

[illegible] ...Southern Power ... Councilman ... Council, ... [illegible] ... Power ... [illegible] ... Company ... [illegible] ... [illegible] ... [illegible]

[illegible] in the City of Asheville in the creation and con-
[illegible] Lake Craig, on the Swannanoa River, in the County of Buncombe, State
[illegible] for the purpose of impounding water on the property owned by
[illegible] said water was, by the City of Asheville
[illegible] Lake Craig, and was and is used by the City of Asheville
[illegible] part of what is known as the Asheville Reservation
[illegible] for the enjoyment of the public at a profit, which said damage
[illegible] Asheville on or about the 20th day of October, 1925, in
[illegible] Asheville was negligent as follows:

[illegible] said lake from which water is drawn at
[illegible], in negligently making the shore line, thereby causing
[illegible] and mud to become obstructed and to become
[illegible] vegetation.

[illegible] that portion of the lake near claimants
[illegible] vegetable matter which was permitted to be
[illegible] neighborhood of claimants home, and in negli-
[illegible] said water in an adequate system of drainage of said

[illegible] Asheville in that said portion of Lake Craig near claimants
[illegible] of human waste, through the accumulation of which in the
[illegible] shore line from circulation of the water near claimants
[illegible] prevented, by reason whereof the shallow waters were
[illegible], and the vegetable matter left to decay.

[illegible] of the condition aforesaid, setting up a
[illegible], and maintaining condition along the shore line near
[illegible]: said condition was negligently permitted by the City of
[illegible] continue for an indefinite period.

[illegible] of all of the above mentioned conditions, due to the
[illegible] of the City of Asheville, malaria bearing mosquitoes were encouraged
[illegible] of Lake Craig, near claimants home, whereby claimants
[illegible] have been jeopardized, and the immediate vicinity in and
[illegible] rendered unhealthy, due to the presence of mosquitoes
[illegible] condition that claimant is going to have to move out of her
[illegible] health of herself and the health of her family,
[illegible] property has been damaged and depreciated in the sum of
[illegible] dollars, for which said amount the undersigned claim-
[illegible] judgment.

Mrs. Ellen Matthews
By
Zeb V. Curtis
James S. Howell
Attorneys for Claimant

[illegible] Mayor to execute quit-claim deeds to property sold
[illegible] foreclosure suits was unanimously adopted.

[illegible] AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM
[illegible] TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE AT
[illegible] FORECLOSURE SUITS.

[illegible] City Council of the City of Asheville that cer-
[illegible] property was sold by the City of Asheville, said
[illegible] City of Asheville by tax foreclosure suits for
[illegible] June 1923; and

[illegible] of said sale was ordered once a week for four successive
[illegible] Times newspaper, after which the sale was conducted
[illegible] was duly had and bid in as follows:

[illegible]	LOTS	SHEETS	WARDS	BID IN BY
[illegible]	214	2	1	Wachovia Bank & Trust Company
[illegible]	93,94 and 95	2	5	Wachovia Bank & Trust Company

[illegible] that the above property was not bid in at the same
[illegible] it also appears that the tax department of the City
[illegible] listed owners by registered letter, said registered le
[illegible] owners that the public sale was conducted on the above de
[illegible] property was bid in as shown above, and requesting the listed ow
[illegible] office of the tax collector and file any objection to said sa

...f carrying out the intent of ...
...to the bonds in the aforesaid ...
...intended and directed to advertise ...
...

...:

...
...
...

...ns of this resolution, and the Clerk ...
...f Asheville, the Mayor of the City ...
...mise for the bonds aforesaid, ...

...the motion.

Holmes Bryson
Councilman

...

...
Councilman

...day of January, 1934.

...
...

Glenn Mason
City Clerk

...

...Tuesday, February 6, 1934, 4:00 P.M.

...session, Mayor Wells presiding. Present: ...
...Holmes Bryson, Jr., Robert R. Swaford, ...
...W. Wells, A. Hall Johnston, Prosecuting Counsel ...
...and answered.

...minutes of the committee appointed at the last meeting ...
...Water, Sewer and Light Commission providing bus trans- ...
...Hall on Merrimon Avenue, the committee and that a call ...
...the Council.

...to issue refunding deed was upon motion of ...
...Holmes Bryson, unanimously adopted.

...AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM ...
...DEED OF CONVEYANCE BY TAX FORECLOSURE SUITS.

...the City Council of the City of Asheville the ...
...property was sold by the City of Asheville, ...
...City of Asheville by tax foreclosure suits for de- ...
...; and

...sale was opened upon a work for four successive ...
...noon, after which the sale was conducted ...
...exhibit is as follows:

	Lots	Suits	Wards	Bid In By
...st ...	...	1	6	R. R. Swaford
...nd 21	5	5		Ward McIntosh

...

...

...

Thursday, February 13, 1941 -- 4:30 P.M.

[illegible] Mayor Wells presiding. Present: [illegible] Weaver, Eugene Cureland, J. E. Divelbiss, Jr., Robert F. Swofford, [illegible] M. Wells, D. M. Bundette, City Manager, and J. H. [illegible]

[illegible] the minutes of the previous meeting were read and [illegible]

[illegible], Jr., Chairman of the committee appointed to confer [illegible] and Light Company regarding bus transportation [illegible] report.

REPORT OF COMMITTEE TO INVESTIGATE BUS TRANSPORTATION
BY UTILITIES OF THE CAROLINA POWER AND LIGHT COMPANY.

[illegible] from the City Council composed of J. E. Divelbiss, Jr., [illegible] W. Weaver, Eugene Cureland, and D. M. Bundette, City Manager, [illegible] from the Carolina Power and Light Company and there was an [illegible] of the unprecedented conditions of buses, especially during [illegible]

[illegible] station officials advised that a careful check and survey [illegible] all conditions and that full cooperation would [illegible] in meeting the problem, and advised facilities would [illegible] same time. It was revealed that one extra bus had [illegible] the Hillsboro line, and schedules moved up accordingly. The [illegible] continue the activities in connection with the problem.

J. E. Divelbiss, Chairman

Lynch F. Weaver

Eugene Cureland
COMMITTEE

[illegible] of the Asheville Chapter of the Reserve Officers Associati[illegible] requesting Senators and Representatives of Congress to [illegible] also asked the Mayor to issue a proclamation asking the [illegible] citizens generally to urge such action upon Congress. [illegible] has been set aside as "Preparedness Week".

Glenn Morris

Holmes Bryson
COUNCILMAN

Enoch F. Werner
COUNCILMAN

P. M. Wells
MAYOR

Glenn Morris
CITY CLERK

HENDERSON COUNTY

By M. T. Dunham
Chairman of County Commissioners.

CITY OF HENDERSONVILLE
By W. E. Edwards
Mayor

CITY OF ASHEVILLE
By J. M. Burdette
City Manager

Robert E. Sentelle
Councilman

Joseph P. Warren
Councilman

Robert W. Wells
Mayor

Glenn Mannis
City Clerk

Respectfully submitted,

S. PLATT SMITH
Chairman

By Chas. B. Ives, Jr.
Attorney

Glenn Palmer
Secretary.

Tuesday, March 16, 1926 -- 7:30 P.M.

Regular session, Mayor Wells presiding. Present: Aldermen Walter H. Weaver, Robert M. Wells and A. Hall Patton. Absent: None. Minutes of the previous meeting were read and approved.

Mr. Marion, Director of Federal Projects here, requested the Council to meet with him at 8:00 P.M. for the purpose of discussing the Mr. Marion stated that he would be glad to meet with the Council at that time.

Alderman Weaver moved that the Council meet with Mr. Marion at 8:00 P.M. for the purpose of discussing the Federal Project. Motion carried unanimously.

Alderman Weaver moved that the Council adjourn to meet at the Asheville Chamber of Commerce at 8:00 P.M. Motion carried unanimously.

Glenn Palmer
City Clerk.

Tuesday, March 16, 1926 -- 8:00 P.M.

Special session, Mayor Wells presiding. Present: Aldermen Walter H. Weaver, Robert M. Wells and A. Hall Patton. Absent: None. Minutes of the previous meeting were read and approved.

Mr. Marion, Director of Federal Projects here, requested the Council to meet with him at 8:00 P.M. for the purpose of discussing the Federal Project. Mr. Marion stated that he would be glad to meet with the Council at that time.

Alderman Weaver moved that the Council meet with Mr. Marion at 8:00 P.M. for the purpose of discussing the Federal Project. Motion carried unanimously.

Alderman Weaver moved that the Council adjourn to meet at the Asheville Chamber of Commerce at 8:00 P.M. Motion carried unanimously.

Glenn Palmer
City Clerk.

Tuesday, March 16, 1926 -- 8:00 P.M.

Special session, Mayor Wells presiding. Present: Aldermen Walter H. Weaver, Robert M. Wells and A. Hall Patton. Absent: None. Minutes of the previous meeting were read and approved.

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Glenn Palmer
City Clerk.

Tuesday, March 16, 1926 -- 8:00 P.M.

Special session, Mayor Wells presiding. Present: Aldermen Walter H. Weaver, Robert M. Wells and A. Hall Patton. Absent: None. Minutes of the previous meeting were read and approved.

Mr. Marion, Director of Federal Projects here, requested the Council to meet with him at 8:00 P.M. for the purpose of discussing the Federal Project. Mr. Marion stated that he would be glad to meet with the Council at that time.

Alderman Weaver moved that the Council meet with Mr. Marion at 8:00 P.M. for the purpose of discussing the Federal Project. Motion carried unanimously.

Alderman Weaver moved that the Council adjourn to meet at the Asheville Chamber of Commerce at 8:00 P.M. Motion carried unanimously.

...ursday, March 19, 1936-- 4:30 P.M.

...ncil met in regular session, Mayor Wells presiding. Present: ...lmen Wade E. Brown, Eugene Cogburn, J. C. Vance, Jacob F. Weaver, Robert M. Wells ...lmen Wade E. Brown, Eugene Cogburn, J. C. Vance, Jacob F. Weaver, Robert M. Wells ...ncil

[illegible]

[illegible]

[illegible]

NOTICE AND CLAIM OF
DAMAGE FOR PERSONAL INJURIES

To W. WHITE, MAYOR OF THE CITY OF ASHEVILLE
AND THE BOARD OF COUNTY FOR THE CITY

[illegible] give you notice that on the first day of March,
[illegible] on the City of Asheville, I
[illegible] received [illegible] on the date of the

[illegible] a resident of the City of Asheville,
[illegible] of North Carolina, and that the City of
[illegible] is a municipal corporation.

[illegible] claim P.M. on the 14th day of March, 1924,
[illegible] walking along the sidewalk on Buick Street,
[illegible] in the Eastern part of the City of Asheville,
[illegible] excavation which was constructed by the City of Asheville.
[illegible] said excavation was installed by the City on
[illegible] of Buick Street traveling South from Zealup Street
[illegible] thereof Number 5 Buick Street. That said excavation
[illegible] 3 feet wide and approximately 5 feet deep. That said
[illegible] for an opening to a sewer or a drain under the said
[illegible] as a result of falling in said excavation injured
[illegible] matter be more fully set out.

[illegible] is constructed in a negligent and unlawful
[illegible] part of the City at that is entirely
[illegible], and also constructed and maintained by the City of
[illegible] that means, there being a duty to said
[illegible], allowing a dangerous and hazardous condition
[illegible] to exist in the City of Asheville. That plaintiff
[illegible] part of the City in constructing and main-
[illegible] described was a nuisance, per se, and that
[illegible] described the defendant is liable
[illegible] sustained as result of said fall.

[illegible] condition existed to the knowledge of the
[illegible] servants and employees for a long period of
[illegible] and dangerous conditions of said street.
[illegible] the City to construct and maintain the
[illegible] condition, and that the said City failed
[illegible] said sidewalks and streets in a proper and safe
[illegible] to this plaintiff in that said covering was negligently
[illegible] said dangerous condition to exist the
[illegible].

...the city put a high fence around the lot on ... and equipment of various kinds. He also suggested ... be cleaned up and the city ... beautified. No motion was ...

... business, the meeting was on motion, adjourned.

Glenn Morris
City Clerk

... April 17, 1956--4:30 P.M.

... session, Mayor Wells presiding. Present: ... J. F. Divelbiss, Jr., Robert D. Shuford, ... City Manager, A. Hall Johnston, Corporation Counsel, Willis C. Cocke, Jr. The minutes of the ... approved.

... Council, City Manager, and Corporation Counsels was read ... thanks for flowers sent to Mr. Michaels ...

... for permit to operate a portable lunch wagon ... the City Manager, because the building did not ... of the City of Asheville and the State Fire ...

... moved, seconded by Councilman J. F. Divelbiss, Jr. ... on the south side of College Street between the ... be adopted. This motion was put to a vote ... voting in the affirmative the ordinance was passed on its ... an emergency ordinance ... and was the ordinance on all three readings was ... by Councilman Vance, voted on and unanimously ...

... seconded by Councilman Carland, the ordinance ..., voted on and unanimously passed on its second reading ...

... moved, seconded by Councilman Shuford that the ordinance ..., which was voted on and carried unanimously.

ORDINANCE # 205

AN ORDINANCE PROHIBITING PARKING ON THE SOUTH SIDE OF COLLEGE ... THE INTERSECTIONS OF BROADWAY AND HAYWOOD STREET.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

... that it shall be unlawful for any person, firm or corporation ... kind, of whatsoever nature on the south side of College ... intersections of Broadway and Haywood Street.

... any person, firm or corporation violating the provi... shall be taxed not more than Fifty Dollars, in the ... for each and every offense.

... approved as to form:
... City Attorney
... Corporation Counsel

... The City Manager ... to Common ... suit. On motion of Councilman ... resolution was unanimously adopted.

RESOLUTION ... OF ASHEVILLE ... BOND ...

... will be held ... 1956, ...

... subscribed ... have, said ... the highest ... Tax Collector ... bidders upon ... of advertisement, ... the amount ... and in the City ...

foregoing resolution.

Eugene Garland
Councilman

...ed by:

J. C. Vance
Councilman

... this 16th day of April, 1936.

E. M. Wells
Mayor

Glenn Morris
City Clerk

... resolution authorizing the Mayor to execute quit-... by the City of Asheville by tax foreclosure suits, ... Councilman Holmes Bryson, seconded by Councilman Robert F. ...

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM ... TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY ... FORECLOSURE SUITS.

... it appears to the City Council of the City of ... sale held on April 6, 1936 certain property was sold by the ... of Asheville, said land having been acquired by the City of Asheville ... foreclosure suit for delinquent taxes for the year 1928; and

... notice of said sale appeared once a week for four ... in The Asheville Times newspaper, after which the sale ... publicly at the court house door and bid in as follows:

ITEM'S ADDRESS	LOT	SHEET	WARD	BID IN BY
E. J. Overlook et ux ... E. W. ... Ethel W.	8	3	3	Jackson Bank & Trust Company

... under Chapter 180 of the Public-Local Laws of 1925 ... Asheville is not required to notify the listed owners nor ... from the date of sale; and

... appears from a report of the tax collector that ... has been properly listed for taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE ... CITY:

... the Mayor of the City of Asheville be and he is hereby ... authorized to execute quit-claim deed to the property ... to be made to the bidder as shown above, who ... at the sale held on April 6, 1936, which deed ... to the Tax Collector of the City of Asheville ... to the bidder upon payment of the taxes ... with cost of advertising, which amount is ... together with the listing of the property for ... in which the title was vested in the City of

... the adoption of the foregoing resolution.

Holmes Bryson
Councilman

... by: Robert F. Shuford
Councilman

... unanimously adopted, this 16th day of April, 1936.

E. M. Wells
Mayor

Glenn Morris
City Clerk

... TO FORM:
Phillip C. Cocke, Jr.
Asst. Corporation Counsel

April 16, 1936

... the City Manager submitted quit-claim deeds which were upon motion of Councilman ... seconded, unanimously ...

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEEDS.

WHEREAS, the ... appears from the ... and certificates of title ... 1933; and

WHEREAS, the ... 1935 ... and

WHEREAS, ... will for ... March 31, 1936, ... title to ... owner of property upon the ... ... without ... and

WHEREAS, the ... certificates ... 1935 ... 1936 ... W. ... Hill ...

NOW, THEREFORE, ... OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville ... hereby authorized and empowered to ... list ... have set out, which ... Tax Collector of the City of Asheville ... bidder upon payment of the 1933 ... and costs ... above set out, said ... vested in the ... buried to match the title ... to the ...

I move the adoption of the ... resolution.

... seconded by: ... Councilman

Read, ... April, 1936.

... Mayor

ATTEST: ... Clerk

APPROVED AS TO FORM:
Phillip C. Cocke, Jr.
... Corporation Counsel

The City Manager reported that the ... all domestic ... be required to furnish a health certificate ... tax ... by the ... Corporation Counsel, ... report would be submitted soon.

Upon motion, the meeting was adjourned.

E. M. Wells
Mayor

... Clerk

Monday, April 27, 1936--7:30 P. M.

The City Council met in regular session, Mayor Wells presiding. Present: Councilmen Holmes Bryson, Lucian Cleveland, J. F. Divelbiss, Jr., Robert P. Gudger, Jr., Mrs. Jessie W. Worley, City Manager P. M. Barrett, and Asst. Corporation Counsel Phillip T. Jackson, Jr. Minutes of the previous meeting were read and approved.

[illegible] Mr. Robert McCaw with a group of citizens appeared before the City Council to make complaint against the County Welfare Department and requested the Council to investigate conditions existing. Vice-Mayor Bryson stated that the Council committee to work with the City Manager to handle the matter.

The City Manager reported that the Committee Council had given an opinion relative to the question of requiring [illegible] certificate of health. Mrs. Z. V. Austin and Mrs. J. C. Grayson spoke in favor of such an ordinance. Below is Mr. Cook's opinion.

April 27, 1936.

Mr. P. M. Barrett,
City Manager,
Asheville, N. C.

Dear Mr. Barrett:

Replying to the request of the Council of the City of Asheville as to requiring domestic servants to have certificates of perfect health, I wish to state that while North Carolina that makes it compulsory for hotel employees to have such a certificate, but there is no such law requiring domestic servants to have a health certificate. Of course, there is a great difference in a servant waiting on a table in a public place and a servant waiting on a table in the home. There are so many cases to requiring a domestic servant to have a health certificate by the municipal authorities that I cannot say definitely whether such a law would be constitutional. However, the city has the right to require that servant to have a certificate of health from the City Health Officer.

It is not a question of private persons as to what they should do or not to do certain things, but a governmental unit requiring the citizens to do a certain thing which this in this instance (having a health certificate) in my opinion would not be constitutional.

Yours very truly,

Phillip T. Jackson, Jr.

Asst. Corporation Counsel.

ORDINANCE

On motion of Councilman J. C. Vance, seconded by Councilman Holmes Bryson an ordinance providing for water rates and charges was unanimously passed on its first reading. A roll call was taken and Councilmen Bryson voted "Aye", Councilman Cleveland voted "Aye", Councilman Vance voted "Aye", and Councilman Worley voted "Aye".

QUIT-CLAIM DEED

The City Manager presented resolution authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit, which was upon motion of Councilman Vance, seconded by Councilman Bryson unanimously adopted.

RESOLUTION AUTHORIZING MAYOR TO EXECUTE QUIT-CLAIM DEED

WHEREAS, the City acquired through tax foreclosure proceedings certificates of title for numerous pieces of property for the year 1927; and

WHEREAS, the General Assembly of North Carolina at its 1935 session enacted a tax relief bill; and

WHEREAS, Section 4 of said tax relief bill, being House Bill 727 ratified March 21, 1935 gives any governmental unit which has obtained title to any real estate the power and authority to reconvey to the original owner said property upon the payment of taxes, plus 6% interest and $6.00 costs, without advertising same; and

WHEREAS, the following property was sold at private sale:

		LOT	WARD	MAKE DEED TO
	964	2	3	R. F. Shuford

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute quit-claim deed to the property listed above, as above set out, and when so executed to deliver same to the Tax Collector of the City of Asheville who is hereby authorized to deliver same to the grantee upon payment of the 1927 and prior year taxes, with the costs as above set out and the listing of the property for taxes for the year in which the title was vested in the City of Asheville.

The foregoing resolution was offered by Councilman J. C. Vance, seconded by Councilman Holmes Bryson, and unanimously adopted, this 30th day of April, 1926.

J. C. Vance
Councilman

Holmes Bryson
Councilman

R. W. Wells
Mayor

Glenn Morris
City Clerk

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
Asst. Corporation Counsel.

The City Manager presented a resolution authorizing the Mayor to execute quit-claim deeds to property acquired by the City of Asheville by tax foreclosure suits, which was read by the Clerk. Seconded by Councilman Bryson, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS.

WHEREAS, it appears to the City Council of the City of Asheville that on March 30, 1926, certain property was sold by the City of Asheville, said land being acquired by the City of Asheville by tax foreclosure suits for taxes for the year 1923; and

WHEREAS, notice of said sale appeared once a week for four weeks in the Asheville Times newspaper, after which the sale was conducted at the court house door and bid in as follows:

CERT. NO.	LISTED OWNER	LOT	SUBDIV.	WARD	BID IN BY
1400	E. M. Ramsey et al	148	10	6	C. W. Smith

AND WHEREAS, it appears that the above property was not bid in at the listed owner, but it also appears that the tax department of the City mailed said listed owners by registered letter, said registered letter to the listed owner that the public sale was conducted on the above property was bid in as shown above, and requesting the listed owner to call at the office of the tax collector and file any objection to the sale; and notice was mailed to the listed owner on March 30, 1926, which was returned by the post office department to the tax collector of Asheville marked "Unknown"; and

WHEREAS, the required thirty days have expired and the said owner has not filed any objection to the sale; and

WHEREAS, it appears from a report of the tax collector that the property was properly listed for taxes;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY

April 30, 1926.

meet the Mayor of the City of Asheville [illegible] and when so executed to deliver same to the listed above, as the deed to be made to the grantee upon payment of the taxes above set out and the listing of the property for taxes for the year in which the title was vested in the City of Asheville.

The foregoing resolution was offered by Councilman J. C. Vance, seconded by Councilman Holmes Bryson, and unanimously adopted, this 30th day of April, 1926.

J. C. Vance
Councilman

Holmes Bryson
Councilman

R. W. Wells
Mayor

Glenn Morris
City Clerk

APPROVED AS TO FORM:
Philip C. Cocke, Jr.
Asst. Corporation Counsel

The meeting was on motion, adjourned.

R. W. Wells
Mayor

The City Council met in regular session, Mayor R. W. Wells presiding. Present: Councilmen Holmes Bryson, J. C. Vivalbis, Jr., J. C. Vance, Frank E. Brown, Edgar Gudger, Robert W. Wells, and City Manager C. W. Smith. Minutes of the previous meeting were read and approved.

Ordinance #236 entitled "An Ordinance for Water Extension and Increase" was presented on the second reading. Councilman Vivalbis voted "aye", Councilman Bryson voted "aye", Councilman Brown voted "aye", Councilman Gudger voted "aye" and Councilman Wells voted "aye". The ordinance was declared passed on the second reading.

The City Manager presented a resolution authorizing the Mayor to execute quit-claim deeds to former owners of property acquired by the City of Asheville by tax foreclosure suit.

RESOLUTION AUTHORIZING QUIT-CLAIM DEEDS TO FORMER OWNERS OF PROPERTY ACQUIRED BY TAX FORECLOSURE SUITS.

WHEREAS, it appears to the City Council of the City of Asheville that on April 27, 1926, certain property was sold by the City of Asheville, said land being acquired by the City by tax foreclosure suits for delinquent taxes for the year 1923; and

WHEREAS, notice of said sale appeared once a week for four weeks in The Asheville Times newspaper, after which the sale was conducted publicly at the court house door and bid in as follows:

CERT. NO.	LISTED OWNERS	LOT	SUBDIV.	WARD	BID IN BY
1400	E. M. Ramsey et al	147	2	3	Bid in by owner
1073	E. M. Ramsey	77	10	1	Bid in by owner
	Wm. E. Ball and wife Lucy M., C. A. Pless and wife, Gladys	186, 186½ 186½,187½ 188, 188½			

...that the above property was bid in at the sale ...desirous of obtaining deeds from the City of ...been properly listed for taxes;

...BE IT RESOLVED BY THE CITY COUNCIL, OF THE CITY OF ...

...of the City of Asheville be and he is hereby authorized ...quit-claim deeds to the property listed above, ...the bidders as shown above, who were the highest ...which deeds are to be turned over to the Tax Collector ...will deliver the same to the bidders upon payment of ...with cost of advertising, which amounts ...and the listing of the property for taxes for the ...title ...vested in the City of Asheville.

...adoption of the foregoing resolution.

...Garland
Councilman

...Bryson
Councilman

...adopted this 7th day of May, 1936.

F. W. Wells
Mayor

...Morris
City Clerk

...

...

...

...a communication from Mr. ...requesting that the fountain on Beck Square and lettered ... This communication was referred to Councilman Bryson ...with Chief Burnett.

...appeared before the Council and expressed his thanks for ...

...Bryson, seconded by Councilman Vance, the meeting ...

F. W. Wells
City Clerk

Monday, May 11, 1936 - 4 o'clock P.M.

...at the Thursday meeting of the Council, the ...4 o'clock and again recessed until Tuesday, May ...

...
City Clerk

...

...

...

...

May 11, 1926.

[illegible]

[illegible]

[illegible]

May 21, 1928.

Regular

[illegible] Mayor and Board of Aldermen [illegible] Mayor presiding.

[illegible] Councilman Smith, seconded by Councilman [illegible] and unanimously carried, the following resolution was introduced by title:

A RESOLUTION [illegible] CITY OF ASHEVILLE [illegible] CERTAIN [illegible] AT PAR

[illegible] North Carolina, at the 1935 session enacted [illegible] bill, being House Bill 727 entitled [illegible] unit which has obtained title to any real [illegible] property to reconvey to the original owner said property [illegible] of $1.00 each, without advertising [illegible] bid in full and the balance of the [illegible] on February 23, 1938; and

[illegible] will be sold at private sale;

MAKE DESCRIPTION	LOT	BLOCK	WARD	NAME OF OWNER
[illegible]	13	10	5	E. F. Greene, Trustee for the Blue Ridge Building and Loan Association

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City of Asheville be and he is hereby authorized and [illegible] to the property listed above, as above set [illegible] over to the Tax Collector of the City of Asheville [illegible] the 1933 and prior years [illegible] as above set out, and the letter of the [illegible] which the title was vested in the City of [illegible].

[illegible] foregoing resolution.

Eugene Carlund
COUNCILMAN

[illegible]

T. W. Hinsdales, Jr.
COUNCILMAN

[illegible], this 31st day of May, 1938.

Robert W. Wells
MAYOR

Glenn Morris
City Clerk

[illegible] resolution entitled, "Resolution Authorizing [illegible] property acquired by the City of Asheville by [illegible] motion of Councilman Carlund, seconded by Council[illegible]

[illegible] THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO [illegible] THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

[illegible] to the City Council of the City of Asheville that [illegible] was sold by the City of Asheville, said land [illegible] City of Asheville by tax foreclosure suit for delinquent [illegible]; and

[illegible] of said sale covered only a week day for four successive [illegible] after which the sale was conducted public[illegible] as follows:

[illegible]	LOT	BLOCK	WARD	[illegible]
[illegible]	31,32	1r	6	Mrs. Jeffries Tatum

[illegible] that the above property was not bid in at the sale [illegible] also appears that the tax department of the City of [illegible] listed owner that the public sale was conducted on the above [illegible] notice of the tax collector and file any objection to said [illegible]

[illegible], said notice was mailed to the listed owner on May 15, 1938, [illegible] by said listed owner and returned to the tax depart[illegible]

[illegible]

WHEREAS, [illegible] City of Asheville to sell property at public [illegible] the City of Asheville [illegible] sale, it seems fair [illegible] have been able to [illegible] now, therefore, be it [illegible]

[illegible]

That the Mayor of the City of Asheville [illegible] authorized to execute a deed to the [illegible] sell land to the City of Asheville [illegible] May 11, 1938, which is [illegible] lot of the Asheville [illegible] which [illegible] Asheville [illegible] for the [illegible]

[illegible] the election of the [illegible]

[illegible]
[illegible]
Introduced by:

[illegible]
Councilman

[illegible]

[illegible]
Mayor

[illegible]
Attest:
[illegible]
City Clerk

Ordinance No. [illegible], entitled "[illegible] of the City of Asheville [illegible] Councilman Carlund, seconded by Councilman [illegible] Councilman Hinsdales voted "Aye", Councilman [illegible] voted "Aye", Councilman [illegible] voted "Aye" by [illegible] Councilman [illegible] voted "Aye" by [illegible]

[illegible]

[illegible] AT THE COUNCIL [illegible]

[illegible]

(6)

...Schedule I)

	Amount Water Debt	Percentage Water Debt
	$ 19,500.00	50.
	99,721.91	27.7777
	56,860.43	21.3333
	24,468.09	53.1915
	15,000.00	100.
	28,194.44	97.2222
	73,000.00	100.
	274,000.00	100.
	18,000.00	100.
	32,000.00	100.
	105,333.32	66.6667
	168,000.00	100.
	124,000.00	66.6667
	224,000.00	100.
	163,000.00	100.
	167,000.00	100.
	84,000.00	100.
	111,000.00	100.
	458,750.00	25.
	151,000.00	100.
	1,188,000.00	100.
	11,000.00	100.
	220,709.38	36.5625
	334,181.25	36.5625
	77,256.76	16.9059

...ASHEVILLE

	50,000.00	100.

...HILLSBORO

	9,000.00	75.
	13,000.00	33.3333
	2,550.00	15.

...KENILWORTH

	3,400.00	20.
	11,547.18	30.0755
	12,923.06	30.7692
	2,636.36	9.0909
	32,000.00	100.
	11,000.00	100.
	5,800.00	20.

...WATER DEBT $5,654,832.28

...water described in the foregoing Schedule II, or ... water have been or shall hereafter be reduced to judg... final amount thereof, shall for all purposes of this or... ...water debt, to the extent indicated in Schedule II.

...ARTICLE III

...ISSUANCE OF NEW BONDS

... to be issued pursuant to this ordinance shall be dat... ... 1, 1976. It is hereby determined and declared, ... the Consolidated Statutes, that the shortest period in ... pursuant to this ordinance can be finally paid without ... on the taxpayers of the City of Asheville is forty year...

SECTION 2. The General Refunding Bonds ... per annum for the following periods, respectively:

1 ¾%	from July 1, 1976 to July 1, 1980.
1¾%	thereafter until July 1, 1981.
1¾%	thereafter until July 1, 1986.
2 %	thereafter until July 1, 1987.
2¼%	thereafter until July 1, 1988.
2½%	thereafter until July 1, 1989.
2¾%	thereafter until July 1, 1990.
4 %	thereafter until July 1, 1996.

said interest shall be payable semi-annually on the ... year.

SECTION 3. The Water Refunding Bonds ... per annum for the following period, respectively:

2 %	from July 1, 1976 until July 1, 1981.
2½%	thereafter until July 1, 1986.
3 %	thereafter until July 1, 1991.
3¼%	thereafter until July 1, 1996.
4 %	thereafter until July 1, 1996.

said interest shall be payable semi-annually on the ... year.

SECTION 4. The principal of and interest on the bonds shall be paid in lawful money of the United States of America, at the principal office of the Trust Company, in the City of New York, New York.

SECTION 5. The new bonds shall be issued in such form ... as shall hereafter be determined by resolution of the Council ... general obligations of the City of Asheville, and the full faith ... taxing power of the City are hereby pledged for the ...

ARTICLE IV

TAXES AND OTHER REVENUES FOR PAYMENT OF THE NEW BONDS

SECTION 1. It is required by Section 159 of the Constitution of the State of North Carolina that the governing body of the City of Asheville shall annually levy a tax sufficient in rate and amount to pay the principal of and interest on all bonds issued under this ordinance as the same become due, to the extent that the proceeds of taxes collected on the taxable property in the City, hereinafter referred to, are not sufficient to pay such principal and interest as the same become due. It is hereby determined that the taxes to be levied for the payment of all new bonds issued under this ordinance will be within the tax limitation imposed by Section 7 of Article V of the Constitution of North Carolina, as amended; provided, however, that the taxes to be levied for the payment of the principal of and interest on the Water Refunding Bonds shall not be within such limitation, but shall be in addition thereto, to the extent necessary to pay such principal and interest as the same become due, unless the City shall be in default in the payment of principal of or interest on any of the Water Refunding Bonds, in which event such taxes shall not be limited to the extent necessary to pay the principal of or interest on the Water Refunding Bonds as the same become due, but shall be in addition to all other taxes which the City is or may hereafter be required or authorized to levy, and shall be levied to the extent necessary to pay such principal and interest as the same become due.

SECTION ... Bonds issued ... the following ... respectively ... in the fiscal years ... Water Debt ... Water Debt ...

Year	Amount	Year	Amount	Year	Amount
1976	$259,011	1986	$567,658	1996	$651,411
1977	279,177	1987	567,658	1997	604,333
1978	283,483	1988	171,500	1998	604,333
1979	307,004	1989	132,004	1999	608,115
1980	307,004	1990	521,100	2000	608,115
1981	353,603	1991	521,100	2001	608,115
1982	353,603	1992	521,100	2002	608,115
1983	360,909	1993	521,100	2003	651,411
1984	372,235	1994	567,658	2004	651,411
1985	418,765	1995	567,658	2005	651,411
1986	418,765	1996	567,658	2006	651,411
1987	418,765	1997	604,333	2007	651,411
1988	418,765	1998	604,333	2008	651,411
				2009	651,411

of the principal of and interest on Water Refunding Bonds, the City of Asheville shall accumulate, in the Sinking Fund for the Water Refunding Bonds established by Article VI hereinafter [illegible] (which [illegible] hereinafter):

Year	Amount	Year	Amount
1961	$220,000	1969	$220,000
1962	220,000	1970	220,000
1963	220,000	1971	220,000
1964	220,000	1972	220,000
1965	220,000	1973	220,000
1966	220,000	1974	220,000
1967	220,000	1975	220,000
1968	220,000	1976	220,000

[illegible] the last [illegible] required for the [illegible] assessments [illegible] in Section 2 [illegible] interest always [illegible] [illegible] maturity [illegible] [illegible] next on the new bonds, the City shall not [illegible] [illegible] required from that fiscal year by Sections 2 [illegible]

[illegible] year hereinafter [illegible] between the debt service law for the fiscal year [illegible] debt service law for each other next fiscal year [illegible] [illegible] debt service law so appropriated for each [illegible] [illegible] shall be used for the payment of the principal of and interest on Water Refunding Bonds [illegible] [illegible] fiscal year, that no tax [illegible] [illegible] payments from the next succeeding fiscal year.

[illegible] for the service of Water Refunding Bonds [illegible] collection, be paid into the Sinking Fund for [illegible] by Article VI of this ordinance, and shall be [illegible] VI.

[illegible] of each month of each fiscal year, excepting the [illegible] City of Asheville shall pay out of the revenues of [illegible] Sinking Fund for the Water Refunding Bonds, established by [illegible] of the annual appropriation of the taxes for debt [illegible]. In the event that there should be any change in [illegible] collections of water rents, payments shall be made [illegible] collection of such water revenue in an amount at [illegible] would have been paid into such fund had such payments [illegible] received.

[illegible] long as the City of Asheville shall make punctually all [illegible] of this Article, the holders of Water Refunding Bonds [illegible] may have upon or to not operating revenues of the [illegible] City of Asheville shall be free to use any excess water revenues [illegible] month shall debt service payments of that year, for any

[illegible] to the provisions made in this Article for payments [illegible] the Revolving Fund established by Article V of [illegible] for the payment of the new bonds.

of money in either Sinking Fund exceeds the sum
falling due within the next succeeding seven
fund, or the City is not in default in the payment of in-
out of such fund, the City Council or board or agency
Sinking Fund may, in its discretion, call for public tende
in purchasing such bonds for retirement, s
accepting tenders as hereinafter provided.
the receipt of tenders, the City Council
such Sinking Fund shall cause to be published
the Borough of Manhattan, City of New York, N. Y., and
circulation published in the City of Asheville, North Caro
the City of Asheville inviting tenders of new bonds and
the City of Asheville at which such tenders will be receiv

the funds available for the purchase of new bonds in the
shall exceed One Hundred Fifty thousand Dollars
on the purchase of new bonds in the Water Refunding
Thousand Dollars ($100,000), and such
for a period of ninety (90) days, then the
administering the sinking fund shall promptly
provided, and, subject to the provisions
at least enough bonds to reduce the amount
of new bonds below the sums above stated
hereinafter referred to as "Mandatory
."

bonds shall be contained in a sealed envelope
Bonds" and shall be opened in public, on the date fixed
Notice, Prior to the time of said sale calls for tenders
Board or agency then administering the Sinking
shall accept all tenders or tenders in excess of a certain
of this next all excess funds, as defined in Section
sinking fund, shall be applied immediately in
sinking fund, tendered at the lowest prices sub
amount of bonds so tendered at the
to other Sinking Fund to purchase (after all bond
been purchased), then bonds tendered at
and in which the tenders are received. In the
Sinking Fund insufficient funds to purchase all
otherwise provided, under the provisions of this
be rejected.

Section 7. Ad valorem taxes. There is hereby levied, for the year 1966, in the case of General Refunding
and in the case of Water Refunding Bonds, new bonds are
sufficient amount to pay the principal of and interest on such Mandatory
Section 1 of this Article in the respective
administering such Sinking Fund
sufficient amount for the purposes of such Sinking Fund in the
for the receipt of tenders, the City Council or
Sinking Fund shall cause to be published
Manhattan, City of New York, N. Y., and
published in the City of Asheville, North Carolina
Asheville inviting tenders of new bonds and
which such tenders will be received.

ARTICLE VII.

MISCELLANEOUS

Section 1. Discretion. In addition to the discretion, power and authority conferred upon the
Council by this ordinance, the Council shall have full discretion, power and authority in any and all
matters not inconsistent with this ordinance or with the Constitution and laws of North Carolina
relating to the Bonds, including, but not limited to, the power and authority to determine the
amount of Bonds to be issued, the date of the Bonds, the maturities of the Bonds, the rate or rates
of interest to be borne by the Bonds, the denominations of the Bonds, the manner of execution of the
Bonds, the manner in which the Bonds shall be sold, the purpose for which each series of Bonds
shall be issued within the purposes stated in Section 1 hereof, and the use and application of the
proceeds of the Bonds, including the use and application of any premium received upon the sale of the
Bonds.

Section 2. Sinking Fund. Each Sinking Fund shall be held by the City Treasurer separate and apart
from all other funds of the City and shall be used only for the purposes specified in this ordinance.
Moneys in each Sinking Fund shall be invested and reinvested by the City Treasurer in Permitted
Investments (as defined in Section 3 of this Article) maturing at such times as shall be necessary to
provide sufficient moneys to pay principal of and interest on the Bonds for the payment of which such
Sinking Fund was established. Moneys in each Sinking Fund shall be held by the City Treasurer until
the Bonds for the payment of which such Sinking Fund was established, and all interest thereon, have
been paid in full or until sufficient moneys or Permitted Investments have been set aside and pledged
for such purpose as permitted by and in accordance with the provisions of this ordinance.

Section 3. Permitted Investments. Moneys in each Sinking Fund may be invested only in bonds or
other obligations of the United States of America or of agencies or instrumentalities thereof, or in
obligations the principal of and interest on which are unconditionally guaranteed by the United States
of America, which mature at such times as shall be necessary to provide sufficient moneys to pay
principal of and interest on the Bonds for the payment of which such Sinking Fund was established.
Moneys in each Sinking Fund may be invested only in bonds or other obligations of the United States
of America or of agencies or instrumentalities thereof, or in obligations the principal of and interest
on which are unconditionally guaranteed by the United States of America, which mature at such times
as shall be necessary to provide sufficient moneys to pay principal of and interest on the Bonds for
the payment of which such Sinking Fund was established. Moneys in each Sinking Fund may be invested
only in bonds or other obligations of the United States of America or of agencies or instrumentalities
thereof, or in obligations the principal of and interest on which are unconditionally guaranteed by the
United States of America, which mature at such times as shall be necessary to provide sufficient
moneys to pay principal of and interest on the Bonds for the payment of which such Sinking Fund was
established. Moneys in each Sinking Fund may be invested only in bonds or other obligations of the
United States of America or of agencies or instrumentalities thereof, or in obligations the principal
of and interest on which are unconditionally guaranteed by the United States of America, which mature
at such times as shall be necessary to provide sufficient moneys to pay principal of and interest on
the Bonds for the payment of which such Sinking Fund was established. Moneys in each Sinking Fund
may be invested only in bonds or other obligations of the United States of America or of agencies or
instrumentalities thereof, or in obligations the principal of and interest on which are unconditionally
guaranteed by the United States of America, which mature at such times as shall be necessary to
provide sufficient moneys to pay principal of and interest on the Bonds for the payment of which such
Sinking Fund was established. Moneys in each Sinking Fund may be invested only in bonds or other

		1	1	D. J. Warren [illegible] Western Union
		0	0	D. J. Warren [illegible] Western Union
		10	0	D. J. Warren [illegible] Western Union
		10	5	Lynn W. [illegible] Wife, Edna
	10,150	10	4	Mrs. Ernest J. Stevens
		0	1	Mrs. C. M. [illegible]
		1	1	J. D. Watkins of the Estate of Mary Martin [illegible]

[illegible] the above property was not bid in at the sale [illegible] the tax department of the City of [illegible] by registered letters, said registered letters [illegible] which sale was conducted on the above date [illegible] the above, and requesting the listed owners [illegible] collector not file any objection to said sale; a

[illegible] to the listed owners on May 15, 1934. [illegible] listed owners and returned to the tax [illegible] on Eastern Realty Co., which was returned by the [illegible] envelope marked "Unclaimed"; and

[illegible] of the Public-Local Laws of 1925 the City of [illegible] after ten days from the date of sale; and

[illegible] of the tax collector that the above [illegible] four years;

[illegible] by the City Council of the City of Asheville [illegible] and by its proper authorized [illegible] deed to the property listed above, said deeds [illegible] above, who were the highest bidders at the sale [illegible] to be turned over to the Tax Collector of [illegible] the sums to the bidders upon payment of the [illegible] with cost of advertising, which amounts are at [illegible] with the listing of the property for taxes for the [illegible] in the City of Asheville.

[illegible] foregoing resolution.

Holmes Bryson
Councilman

Robert E. Shuford
Councilman

[illegible], this 29 day of May, 1934.

P. W. Wells
Mayor

Glenn Morris
City Clerk

Clerk Minutes

	240	5		W. H. Brock and wife, Vonnie W. H
	234	20	F	Calvary Bap Church
	12 & 101	20	F	Calvary Bap tist Church

Clerk

Eugene C. Leland
Councilman

J. C. Vance
Councilman

P. M. Wells
Mayor

Glenn Morris
City Clerk

Whitchbacks, or Roller Coasters,

place, or room used

Vaudeville Shows, Dance

Houses

Carvice, Manics, or Dumps.

fixed for any business enumerated in the preceding

satisfied that the applicant, or the manager

and fit and proper person to conduct such

satisfied that the place proposed is a suitable

place for the conduct of such business.

rooms, bowling alleys, hootalls, table

kind are operated, and also restaurants, cafe

soft drinks are sold, be kept open at seasons or

shall be issued for any of the following businesses

hand, payable to the City, in the amount

ll laws and ordinances now in force or hereinafter

conditioned to save the City harmless

ances of such license or agents, servants, or employ

the City Manager may determine:

$1,000.00

$1,000.00

$1,000.00

Contractors and Venders ---- $ 500.00

$1,000.00

Public Contractors doing any work

on streets costing not over $500 $ 100.00

$ 500.00

$ 500.00

"person" is used in this ordinance, the same

"Firms", "Corporation", "Organizations" and "Associations"

fixed for license depends upon the amount of gross

received, it shall be the duty of persons

Director of Finance a sworn statement of such

preceding months, quarter, or year, as the

license is issued, it is presumed that the location of the business or

licensed is not prohibited some other ordinance, however, if same is

...the City Manager has the authority...

...$50.00

...$15.00

...ness of selling...
...ness of advertising, and not...
...tax is not prohibited by State...

...ns on merchandise or merchandise on merchants

...ness, which is engaged on premises in the business...
...boards, or printed bulletins and...
...walls, or roofs of buildings,...

...$25.00

...ing or maintaining sign boards,...
...bulletins, or other outdoor advertisements of...
...the name of such person, firm or corporation...
...and conspicuously affixed thereto.

...city of Lillo, or sign-tacking, advertising by...
...fences, or other structures, except on license...

ARTICLE XXVIII. AMUSEMENTS, AND EXHIBITIONS.

...exhibition, distributing samples, circulars, handbills,...
...or upon to person, anywhere within the corporate...

...$100.00

...the annual tax has not been paid...

...$ 10.00

...distributing of handbills, circulars or other...
...exhibitions or business houses, or shall be...
...upon any business house, or between the front...
...firm, or corporation, distributing said circulars...
...part, shall have the name of such person, firm or...
...upon other printed matter, in sufficient size to be...
...part; and distribution of handbills, circulars...
...provided in this article, is hereby prohibited.

...or on, where vehicles, buildings, or other...
...advertising purposes, and where charge therefor...

...$25.00

...upon streets in the business part are...
...to be placed within or on such cars, placards for...
...therefor, shall pay a license tax of,

...$100.00

...exhibition, operating a moving picture machine, and...
...purposes, shall pay an annual license tax...

...entertainment is run, having a seating capa-...

...$20.00

...entertainment is run, having a seating capacity...
...one thousand (1,000)...

...$35.00

...(a) In each place where the exhibition...
...of one thousand (1,000) or over...

...actually in use by the public for such exhibition...

...from...

...provided, that no free child's ride at any...
...upon the payment of children under...

...provided, further that the operation of children's...
...upon the payment of...

...manufacturing, or illustration, and not...
...portion of this section, shall...
...corporation, exhibiting upon the city...

...Every person, firm or corporation...
...exhibition, and maintaining...

...See "Streets" above."

...Every person, firm, or corporation...
...bowling alley, tenpin alley, or...
...the building or room in which...
...the building or room, such amusement...

...Municipal license for two (2) months...
...Municipal license for four (4) months...
...Municipal license for six (6)...
...Municipal license for twelve (12)...

...shall pay...

...upon...

...Each...
...this article, a minimum...

...upon...

...Every person, firm, or corporation, who...
...or distributing circulars...
...shall pay a license tax of, not...

...$25.00

...ll not exceed $100,000.00

...$100,000.00, but does not exceed

...$200,000.00, but does not exceed

...$300,000.00, but does not exceed

...$400,000.00, per annum ----------

...ness carried on in the business of
...Trust Bank, shall pay
...$1,000,000.00 ----------
...$1,000,000.00 but does not exceed $2,000,000.00 ----------
...$2,000,000.00 but does not exceed $5,000,000.00 ----------
...$5,000,000.00 ----------

...tion, or corporation, carrying on the business of
...Loan Company or other Industrial Banks, shall pay

...ll be in business during the current tax year, the tax
...ble at the beginning of the business ye...

...

...tion, engaged in the business of conduct-
...ng or keeping for hire any billiard or pool table, or any table of like kind, shall pay the following

...ble kept in number one shop, whether such table is in

...ther shop, similar, or other place of like kind

...ble kept in a bowling alley, per annum ----------

...tion, engaged in the selling of lumber or

...tion operating or maintaining a hotel or

...tion, operating a hotel in connection

...

...

...

---$ 25.00

Whore license is paid under "Cleaning or Pressing Club Establish-
ment" tax not collectible under this section.

[illegible]

[illegible]

[illegible]

HORSES, MULES AND PONIES--DEALERS IN.

Every person, firm or corporation, engaged in the business of buying and selling horses and/or mules and/or ponies, shall pay a license tax of, per annum as follows:

(a) Any person who, for the last three yenrs continuously, has listed poll or property tax, shall pay:

For the first carload----------$10.00
For each additional carload ----------$ 5.00

(b) Any person, who, for the last three years continuously, has not listed poll or property tax, shall pay:

For the first carload ----------$50.00
For each additional carload ---------- 10.00

HOSPITAL SUPPLIES-DEALERS IN.

Every person, firm or corporation engaged in the business of selling or distributing hospital supplies shall pay a license tax of, per annum -$40.00

Provided, however, the tax shall not be collected from persons, firms or corporations operating a drug store.

HOTELS.

Every person, firm or corporation engaged in the operation of any hotel, shall pay the following tax, per annum

(a) American Plan: For hotels operating on the American Plan for rooms in which rates per day are:

Less than $2.00 ----------	$ .30
2.00 and less than 3.00 ----------	.45
3.00 and less than 4.50 ----------	.90
4.50 and less than 6.00 ----------	2.10
6.00 and less than 7.50 ----------	2.70
7.50 and less than 15.00 ----------	3.00
over 15.00 ----------	3.60

(b) European Plan: For hotels operating on the European Plan, for rooms in which rates per day are:

Less than $2.00 ----------	.60
2.00 and less than 3.00 ----------	1.50
3.00 and less than 4.50 ----------	2.25
4.50 and less than 6.00 ----------	2.75
6.00 and less than 7.50 ----------	3.25
7.50 and less than 10.00 ----------	3.75
over 10.00 ----------	4.25

Provided, however, the office, dining room, parlor, kitchen and two other rooms shall not be counted when calculating the number of rooms in the hotel.

HOTEL AND RESTAURANT EQUIPMENT--DEALING IN.

Every person, firm or corporation engaged in the business of selling or distributing equipment for hotels or restaurants, whether for the culinary or other departments, shall pay a license tax of, per annum ----------$50.00

HOUSE MOVING, WRECKING HOUSES OR OTHER STRUCTURES.

Every person, firm or corporation engaged in the business of moving demolishing, or wrecking houses or other structures, shall pay a license tax of, per annum ----------$ 25.00

HYNOTISTS.

Prohibited.

"I"

ICE CREAM-ITINERANTS SELLING.

See "Balloons".

ICE CREAM-RETAIL MANUFACTURER OR WHOLESALE DEALERS.

(a) Each dealer, per annum ----------$ 2.50

PROVIDED, that a retail tax shall not be collected from restaurants or drug stores who have paid the prescribed tax.

(b) Every person, firm or corporation engaged in the business of manufacturing or distributing ice cream at wholesale, shall apply for and obtain from the Director of Finance, for each place of business where manufactured and/or stored for distribution, a license tax of, per annum ----------$12.50

(c) Ice Cream peddlers, shall pay a license tax of, each per annum ----------$25.00

License issued, subject to approval and supervision of the Health Department and before party making application can be granted a license, it will be necessary to have a written statement from the Health Officer that the proposed method of handling ice cream is approved by him.

For the purpose of this section, the words, "ice cream" shall apply to ice cream, frozen custards, sherbets, water ice, and/or similar frozen products.

ICE CREAM SERVICE.

Per vehicle ----------$ 10.00

PROVIDED, however, that this shall not apply to persons, firms or corporations, who pay the license tax under "Ice Manufacturers or Dealers"

ICE DEPOTS.

On each retail depot with electric refrigeration, a license tax shall be paid of, per annum ----------$ 50.00

On each retail depot without electric refrigeration, a license tax shall be paid of, per annum ----------$ 12.50

ICE MANUFACTURERS OR DEALERS.

Any person, firm or corporation, manufacturing ice, shall pay a license tax of, per annum ----------$300.00

PROVIDED, that where the manufacturing plant is outside of the City but the business is selling and delivering within the City, shall pay a license tax of, per annum ---------- $300.00

NOT PRORATED.

IMPLEMENTS.

See "Agricultural Implements and Machinery".

INSURANCE AGENTS.

Exempt by State Statutes.

INSURANCE FIRE COMPANIES.

EXEMPT by State Statutes.

INSURANCE FIRE ADJUSTERS.

Exempt by State Statutes.

INSURANCE--FRATERNAL ORDERS.

Exempt by State Statutes.

INSURANCE--TITLE.

See "Title Insurance".

INTERIOR DECORATING AND WALL PAPER HANDING.

Every person, firm or corporation engaged in the business of paper-handing, or engaged in the business of interior decorating, shall pay a license tax, as follows:

Wall-paper handing, per annum ----------$10.00
Interior decorating, per annum ---------- 10.00

Interior decorating does not include painting or wall paper handing.

"J"

JEWELRY.

Every person, firm or corporation operating a jewelry store or shop, or selling plated and silverware, shall pay a license tax of, per annum ------$10.00

JEWELRY STANDS.

Every person, firm, or corporation making key rings, tags, etc., in any place other than a building occupied for such purposes, shall pay a license tax of, per annum ----------$10.00

NOT PRORATED.

PROVIDED, that no person shall be allowed to make jewelry, key rings, tags, and trinklets upon public property on the streets, sidewalks, or alley-ways of the city.

JEWELRY REPAIR SHOPS--OR WATCHMAKERS.

Every person, firm or corporation operating a jewelry or watch repair shop shall pay a license tax of, per annum ----------$5.00

PROVIDED, that where a jewelru shop or store pays a jewelry tax, no tax shall be collected hereunder.

JUNK DEALERS.

Every person. firm or corporation, buying or selling junk, shall pay a license of, on each place of business, per annum ----------$150.00
Each wagon or truck collecting junk, per annum ----------$ 50.00

Any person, firm or corporation desiring a license hereunder, must first make application in person to the City Manager, and will be required to furnish justified bond in the sum of $1,000.00 conditioned according to the City Ordinance applicable thereto.

"K"

KENNELS, DOG.

Per annum ----------$50.00

The keeping of seven or more dogs, including pups over three months old, on the same premises, shall constitute the keeping of a dog kennel.

KNIFE OR CANE RACKS.

See "Cane Racks".

KNIVES.

See "Bowie Knives".

KNUCKLES, BRASS.

See "Bowie Knives".

KODAKS.

See "Cameras".

"L"

LABOR AGENTS, EMIGRATION.

(a) Every person, firm or corporation, either as agent or principal, engaged in soliciting, hiring, and/or contracting with laborers, male or female, in this State, for employment out of the State, shall pay a license tax of, per annum ----------$100.00

(b) Every person, firm or corporation, who or which engages in the business of securing employment for a person or persons and charging therefor a fee, commission, or other compensation, shall pay a license tax of, per annum ----------$100.00

PROVIDED, however, that this section shall not apply to any employment agency operated by the Federal Government, the State, or any County or Municipality whose sole business is procuring employees for work in the harvesting of farm crops within the State of North Carolina.

LAUNDRIES.

Every person, firm or corporation engaged in the business of operating a laundry, including wet and/or damp wash laundries, where steam, electricity, or other power is used, shall pay a license tax of, per annum ----------$ 62.50

PROVIDED, that any laundry or other concern doing a gross volume of business of less than $100.00 per month, shall pay a lice se tax of, per annum ----------$25.00

PROVIDED, further, that any laundry not employing in excess of three persons, shall pay a license tax of, per annum ----------$25.00

PROVIDED, also that this section shall not apply to washerwomen.

LAUNDRY AGENCIES.

Every person, firm or corporation engaged in the business of operating a laundry outside of Asheville, and soliciting laundry business in the City of Asheville through agents, shall pay a license tax of, per annum ----------$50.00

LAWYERS.

Exempt by State Statutes.

LEASING OR SELLING FILMS.

Exempt by State Statutes.

LECTURES, PROFESSIONAL.

Each lecture where admission is charged, except where solely for charitable, religious, or educational purposes ----------$50.00

LEMONADE--ITINERANT.

See "Balloons".

LEMONADE STANDS.

On Public occasions, same as "Soft Drink Stands".

LIFTING MACHINES, BLOWING MACHINES.

Each, per day ----------$50.00

LIGHTNING ROD AGENTS.

Each lightning rod dealer having a general office, or selling from a receiving point, shall pay a license tax of, per annum ----------$10.00

LINEN SERVICE.

Every person, firm or corporation renting or placing towels or other linen for a rental or on a fee basis, shall pay a license tax of, per annum ----------$40.00

LINEN SHOPS.

Every person, firm or corporation engaged in business where the principal items sold are linen, shall pay a license tax of, per annum ----------$25.00

LIVERY STABLES.

On every person, firm or corporation, who keeps horses or mules to hire or let, with or without vehicles, or run a hitch and feed stable, a license tax shall be paid of, per annum ----------$10.00

LOAN AGENTS OR BROKERS.

Every person, firm or corporation engaged in the regular business of making loans or lending money and accepting liens on, or contracts of assignment of, salaries or wages or any part thereof, or other security or evidence of debt for repayment of such loans in installment payments or otherwise, maintaining in connection with same any office or other located or established place for the conduct, negotiation, or transaction of such business, and/or advertising or soliciting such business in any manner whatsoever, shall be deemed a loan agency, and shall pay a license tax of, per annum ----------$100.00

PROVIDED, that this shall not be construed to apply to banks, industrial banks, trust companies, building and loan associations, nor installment paper dealers as defined in Section 148 of the Revenue Act of 1935. It shall apply to those persons or concerns operating, or commonly known as loan companies or finance companies, and whose business is as hereinbefore described, and those persons, firms or corporations pursuing the business of lending money and taking as security for the payment of such loan and interest and assignment of wages, or an assignment of wages with power of attorney to collect same, or other order of chattel mortgage or bill of sale upon household or kitchen furniture.

LOAN COMPANIES.

See "Mortgage Loan Companies".

LUBRICANTS, OIL, ETC.--DEALERS IN.

See "Oil and Gasoline".

LUGGAGE.

(a) Each and every person, firm or corporation where 75 per cent of the gross sale or stock or merchandise carried is luggage, shall pay a license tax of, per annum ----------$25.00

(b) Each and every person, firm or corporation, selling luggage, and where less than 75 per cent of the sales or stock of merchandise consists of luggage, shall pay a license tax of, per annum ----------$ 5.00

LUMBER--BROKERS OR WHOLESALE DEALERS.

Every person, firm or corporation with an office within the City of Asheville manufacturing, buying and/or selling lumber at wholesale, and/or handling same upon a brokerage or commission basis, shall pay a license tax of, per annum ----------$2

LUMBER DEALERS.

See "Building Materials".

LUNCHES--DRUG STORES.

See "Restaurants".

LUNCH ROOMS AND RESTAURANTS.

See "Restaurants".

LUNCHES--ITINERANTS SELLING.

See "Balloons".

LyCeum Bureaus and Chautauqua Bureaus.

Each, per annum ----------$25.00

"M"

MACHINE SHOPS.

Each, per annum ----------$25.00

MACHINE, SLOT--OR SLOT LOCKS.

(a) Every person, firm or corporation engaged in operating within the City of Asheville, any slot machine wherein is kept any article to be purchased by depositing any coin or thing of value, or for which may be had any article of merchandise, or any machine wherein may be seen any picture or heard any music by depos herein any coin or thing of value, or any slot weighing machine, or any machine for making stencils by the use of contrivences operated by depositing in the machine any coin or thing ofvalue, or where any game is played or any lock operated by slot wherein money or thing of value is to be deposited, shall pay for each machine or lock, the following license tax, per annum:

Any such machine that requires a deposit of not more than one cent-----$ 5.00

Any such machine that requires a deposit of more than one cent and not more than five cents ----------$10.00

Any such machine that requires a deposit of more than five cents, and not more than ten cents ----------$20.00

Any such machine that requires a deposit of more than ten cents and not more than twenty cents ----------$30.00

Any such machine that requires a deposit of more than twenty cents ----------$40.00

Weighing Machine requiring a deposit of one cent ----------$ 2.50

Vending machine vending peanuts, food, or confections requiring a deposit of one cent ----------$ 2.50

NOT PRORATED.

PROVIDED, the foregoing shall not apply to those items enumerated in Section 129 of the Revenue Act of 1935.

PROVIDED, however, that this section shall not apply to machines owned and operated by any retail merchant in his own place of business for delivering merchandise of the market value of the coin deposited; nor shall it apply to slot machines from which drinking cups are delivered at not more than one cent per cup.

The operator or owner of each and every slot machine or slot lock, shall keep posted the metal license plate that is issued with the license, same to be fastened on the top panel under the glass of each machine.

Any slot machine being operated without being properly licensed shall be confiscated and/or sealed by the Tax Collecting wuthorities and same shall not be released until said tax is paid. Any person breaking a seal and operating such machine after same has been sealed, shall be liable to a penalty of $50.00 for each offense.

MACHINERY.

See "Agricultural Implements and Machinery".

MAKERS OF BONDS.

See "Bond Makers".

MANICURISTS.

Resident, per annum ----------$ 5.00
Itinerant, per annum ----------$50.00

MANUFACTURERS--MISCELLANEOUS.

Every person, firm or corporation engaged in the business of manufacturing any product not taxed under this Schedule, shall pay a license tax of, per annum ----------$25.00

MASSAGE ESTABLISHMENTS.

Each, per annum ----------$50.00
Itinerant, per day ----------$ 5.00

PROVIDED, where only one operator is working the license shall be -----$25.00

MATCHES-WRESTLING.

See "Games".

MATRESS FACTORIES OR RENOVATORS.

Each, per annum ----------$25.00

MEATS.

(a) Every person, firm or corporation engaged in the operation of a meat market, shall pay the tax in accordance with the classification hereinafter set-forth:

CLASS A:

Meat markets selling 500 pounds or less of fresh meats per week each, per annum ----------$25.00

CLASS B:

Meat markets selling 500 pounds of fresh meats per week, each per annum ----------$50.00

PROVIDED, that such license tax shall be paid for each meat market operated within the corporate limits of the City of Asheville.

(b) Every person, firm or corporation engaged in the wholesale distribution or sale of fresh or cured meats ----------$50.00

(c) Every person, firm or corporation storing, jobbing, or selling meats of any kind from warehouses within the city limits ----------$150.00

PROVIDED, that the provisions of this section shall not apply to any person, firms or corporations, who have paid the tax levied on packing houses.

NOTE: Meat not having been salted longer than twenty days shall be considered fresh meat, and the license shall be collected as itemized on retail and wholesale dealers of fresh meats. PROVIDED, that from and after the passage of this Ordinance it shall be unlawful for any person, firm or corporation to operate a meat market without first obtaining a meat market permit from the Health Officer which must be in force during period of operation and a copy of the same must be conspicuously posted at all times within the said market so as to be plainly visible to all customers who may patronize such market.

PROVIDED, further, that the Director of Finance may require at any time an affidavit from the operator of any week, during the tax year, and if during any week of the tax year a meat market in Class A sells more the 500 pounds of meat, then said Class A meat market shall be rated as Class B, and shall be liable for tax in accordance with Class B Schedule.

MEAT DISTRIBUTORS.

Every person, firm or corporation, selling,distributing and delivering meat at wholesale or retail, and not having a place of business in the City of Asheville, shall pay a license tax of, per annum ----------$50.00

PROVIDED, the provisions of this section shall not apply to persons, firms or corporations, paying packing house license.

MEDICINE SELLERS OR VENDORS.

See "Goods, Wares and Merchandise".

Free shows in connection with the selling of medicines or other merchandise in other than licensed theatres or moving picture shows, prohibited within the corporate limits of the City of Asheville.

MENAGERIES.

See "Circuses".

MERCHANTS--ITINERANT.

Itinerant or salesman selling as proprietor or agent in any lot or in a storeroom, goods, wates, or merchandise, on which an itinerant or other tax is not herein specifically imposed, shall pay a license tax of, per annum --------$100.

NOT PRORATED.

PROVIDED, that all such sales on any street, square, alley, or other municipal property is expressly prohibited.

Itinerant merchants, dealers, or proprietors, or agent selling bankrupt or fire sales, or any kind of goods, wares, or merchandise, shall pay a license tax of, per week ----------$100.

PROVIDED, however, that no tax shall be collected from trustees or officers of a Bankruptcy Court making sales under Order of Court.

MERCHANTS-PEDDLING.

See "Goods, Wares, and Merchandise".

MERCHANTS--TAILORS.

Employing two helpers or less, per annum ----------$ 10.
Employing over two helpers, per annum ----------$ 25.

MERCHANTS AND STOCK BROKERS.

See "Brokers".

MERRY-GO-ROUND OR FLYING JENNY.

See "Riding Devices".

METAL WORKING ESTABLISHMENTS OR TIN SHOPS.

See"Contractors and Construction Companies".

METALLIC CARTRIDGES.

See "Pistols".

METALLIC, BRASS, OR IRON KNUCKLES.

See "Bowie Knives".

MILK PASTEURIZERS AND CREAMERIES.

"See "Creameries and Dairies".

MILK SUPPLIES.

Every person, firm or corporation selling or distributing mill or factory supplies, shall pay a license tax of, per annum ----------$100

MILLINERY MERCHANTS.

Every person, firm or corporation selling millinery, shall pay a license tax of, per annum ----------$ 25

PROVIDED, that any person, firm or corporation selling millinery where the gross sales do not exceed $1,000.00 shall pay a license tax of, per annum ----------$ 10

MINSTREL SHOWS.

See "Pictures".

MONUMENTS OR TOMBSTONES--DEALERS IN.

Every person, firm or corporation engaged in the business of erecting, manufacturing, jobbing, selling, or offering for sale monuments, marble tablets, grave stones, or articles of like kimd, shall pay a license tax of, per annum - $20

MOP OR BROOM FACTORIES.

Every person, firm or corporation manufacturing or assembling mops or brooms, shall pay a license tax of, per annum ----------$2

MORTGAGE LOAN COMPANIES.

Every person, firm or corporation doing a mortgage or loan business in the City of Asheville, and **not** paying a license tax under any other schedule herein, shall pay an annual license tax under any other schedule herein, shall pay an annual license tax according to the following schedule:

(a) For each $5,000.00 loaned, or less ----------$ 5.00

(b) For all loans in excess of $5,000.00, every person, firm or corporation shall be required to pay at the rate of $5.00 for each and every $5,000.00 of additional loans, or fraction thereof.

For the purpose of ascertaining the amount of tax levied and to be collected hereunder, every person, firm or corporation, engaged in the business aforesaid shall render to the Tax Collector of the City of Asheville a quarterly report showing in detail the amount and/or volume of business done and/or loans made during such preceding three months period.

MOTORCYCLE DEALERS.

See "Automobile, Motorcycles, Motor Vehicles--Dealers In".

MOVING PICTURES OR VAUDEVILLE SHOWS.

On each room, hall, tent, or air-dome used as a moving picture or vaudeville show, an annual license tax as follows shall be paid:

On each place having a seating capacity of less than 500 ----------$125.00
On each place having a seating capacity of 500 or less than 1,000 ----------$175.00
On each place having a seting capacity of over 1,000 ----------$212.00

PROVIDED, any moving picture show operating more than two (2) miles from the business center of the City of Asheville (for the purpose of this provision of the term "business center" being defined as the intersection of the principal business streets of the City of Asheville), the territory in which such moving picture show is located having been annexed to such city subsequent to January 1, 1936, the license tax shall be, per annum --------$100.00

No additional tax may be charged for fortune tellers, clairvoyants and similar crafts appearing under contract in theatres.

MULTIGRAPH, MIMEOGRAPHS--DEALERS IN.

Exempt by State Statutes

MULTIGRAPH SHOPS.

Every person, firm or corporation multigraphing or mimeographing letters advertisements or other documents for compensation, shall pay a license tax of, per annum, as follows:

1 operator ----------$ 10.00
2 operators ----------$ 15.00
More than 2 operators ----------$ 25.00

"N"

NEWS DEALERS ON TRAINS.

Exempt by State Statutes

NEWSPAPERS.

Daily, morning ----------$100.00
Daily, afternoon ----------$100.00
Weekly ----------$ 25.00
Monthly ----------$ 15.00

PROVIDED, that where any newspaper company prints, in addition to its newspapers, circulars or other printed matter, the tax levied under"Printing Establishments", shall also be paid.

NEWSPAPER CONTESTS.

Every person, firm or corporation, conducting any newspaper contest, shall pay a license tax as follows:

Weekly, semi-weekly or monthly newspapers, magazine or periodicals------$ 25.00
Daily newspapers ----------$100.00

NEWS STANDS ----------$ 2.50

NEWS STANDS ON STREETS OR SIDEWALKS.

Prohibited

NEWSPAPER OR MAGAZINE DISTRIBUTORS

Per annum ----------$ 25.00

NURSERIES.

Every person, firm or corporation operating a nursery, or selling or displaying for the purpose of advertisement or sale of nursery products, shall pay a license tax of, per annum ----------$25.00

OCULISTS.

Exempt by State Statues.

OFFICE EQUIPMENT.

Every person, firm or corporation engaged in the business of selling office equipment or supplies, shall pay a license tax of, per annum ----------$25.00

OIL, FUEL.

See "Fuel Oil"

OILS AND GASOLINE.

(a) Every person, firm or corporation engaged in the business of selling illuminating or lubricating oils or greases, or benzine, naptha, gasoline, or other products of like kind from an agency station or warehouse for the distribution of or sale of the aforementioned commodities as defined in Section 137 of the Revenue Act of 1935, shall pay a license tax of, per annum ----------$50.00

PROVIDED, that this shall apply to agencies or warehouses in the City of Asheville engaged in the distribution or sale of the commodities enumerated.

(b) Every person, firm or corporation engaged in the business of selling illuminating or lubricating oils or greases, or benzine, naptha, gasoline, or other products of like kind, who do not maintain an agency, station or warehouse within the City of Asheville, shall pay a license tax of, per annum ----------$50.00

(c) Every person, firm or corporation engaged in the business of reconditioning or refining oils, shall pay a license tax of, per annum--------$20.00

OPERAS.

See "Chatauquas".

OPTICAL SUPPLIES.

Every person, firm or corporation selling optical goods or supplies at wholesale, shall pay a license tax of, per annum ----------$150.00

At retail, per annum ----------$ 50.00

PROVIDED, however, that the foregoing tax shall not be collected from duly licensed practicing physicians, optometrists, or oculists.

OPTICIANS.

Exempt by State Statutes.

OPTOMETRISTS.

Exempt by State Statutes.

ORATORS--FRATERNAL.

Exempt by State Statutes.

ORGANS, PIANOS AND PHONOGRAPHS.

Every person, firm or corporation engaged in the business of selling, offering, or exhibiting for sale, any of the articles hereinafter enumerated, shall pay for the privilege of conducting such business, a special license tax, per annum, as follows:

For pianos and/or graphophones, radios or radios accessorirs, victrolas, or other instruments using disc or cylinder records, and/or the sale of records for either or all these instruments ----------$ 5.00

For each traveling representative or agent for the sale of pianos, and /or graphophones radios, or rado accessories, victrolas, or other instruments using disc or cylinder records, and/or the sale of records for either or all of these instruments ---------- $ 5.00

ORGAN AND PIANO TUNERS OR REPAIRERS.

Organ or piano tuners or repairers, per annum ---------- $ 5.00
Itinerant, per annum ---------- $50.00

ORIANTAL GOODS--DEALERS IN.

Per annum ---------- $25.00

OSTEOPATHS.

Exempt by State Statutes.

OYSTERS AND FISH DEALERS.

See "Fish and Oyster Dealers".

PACKING HOUSES.

Every person, firm or corporation engaged in or operating a meat packing house, and every wholesale dealer in meat packing house products, who owns, leases, or rents and operates a cold storage warehouse in connection with such wholesale business, shall pay for each such packing house or cold storage warehouse, a license tax of, per annum----------$150.00

PAINTING CONTRACTORS.

See "Contractors".

PAINT DEALERS.

Every person, firm or corporation selling or distributing paint, calcimine, or other paint products, shall pay a license tax of, per annum---$25.00

PAPER OR PAPER PRODUCTS.

Every person, firm or corporation engaged in the sale or distribution of paper or paper products, where twenty per cent or more of their business is the sale or distribution of paper, shall pay a license tax of, per annum----------$50.00

PROVIDED, that where less than 20% of the business is paper products, the license tax shall be----------$10.00

PARKING PLACES.

On each and every lot used for a public parking place for profit, where other service is not rendered, shall be paid a license tax of, per annum----------$5.00

Where greasing, washing or other service is rendered----------$12.50

PASTEURIZERS OF MILK.

Each establishment shall pay a license tax of, per annum------$100.00

The foregoing tax is not collectible where creamery tax is paid.

PATENT RIGHTS AND FORMULA--DEALERS IN.

On every person, firm or corporation, offering for sale any patent or formula, shall be paid a license tax of, per annum----------$10.00

PAVING, GRADING, SIDEWALK, SEWER, OR STORM SEWERS.

See "Contractors".

PAWN BROKERS.

See "Brokers, Pawn"

PEANUT AND POPCORN ROASTERS

Every person engaged in the business of operating any peanut or popcorn roaster or stand, shall pay a license tax of, per annum----------$10.00

PROVIDED, that when a peanut or popcorn roaster or stand is operated in connection with some other business, the license tax shall only be, per annum----------$ 5.00

PEDDLERS OF BOOKS.

See "Book Agents".

PEDDLERS--GENERAL.

See "Goods, Wares, and Merchandise"

PEDDLERS OR VENDORS OF MEDICINE.

See "Goods, Wares and Merchandise".

PEDDLING.

See "Goods, Wares and Merchandise", also "Fruits and Produce".

PEDDLING OF FISH.

PROHIBITED.

PENNY ARCADES OR PARLORS.

See "Arcades"

PEPSI-COLA BOTTLING WORKS.

See "Bottling Works".

PERFUMES AND TOILET ARTICLES, COMPACTS, LIPSTICKS, ETC.

Every person, firm or corporation selling perfume, cologne, toilet, water, bath salts, compacts, lip sticks, or other toilet articles, shall pay a license tax of, per annum----------$5.00

PROVIDED, where the gross sales are less than $500.00 annually, the tax shall be----------$2.50

PET SHOPS.

Every person, firm or corporation operating a shop usually known as a "pet shop", or place of business where pets such as dogs, monkeys, cats, birds, fish, white mice, and/ or other pets by whatsoever name called, are sold, shall pay a license tax of, per annum----------$25.00

PHOTOGRAPHS.

See "Organs".

PHOTOGRAPHERS.

Every person, firm or corporation engaged in the business as a photographer, canvasser for any photographer, agent of a photographer in transmitting pictures or photographs to be copied, enlarged or colored, shall pay a license tax of, per annum----------$20.00

PHOTOSTAT DEALERS.

Every person, firm or corporation making photostatic reproductions or engaged in the business of making photostatic copies for sale, shall pay a license tax of, per annum----------$25.00

PHRENOLOGISTS.

Per annum----------$50.00

PROVIDED, that each phrenologist has paid the State tax under Section 113 of the 1937 Revenue Act.

NOT PRORATED.

PHYSICIANS.

Exempt by State Statutes.

PIANO OR ORGAN REPAIRERS OR TUNERS.

See "Organ Repairers or Tuners".

PICTURE MACHINES--ADVERTISING BY USE OF.

See "Advertising by use of Picture Machines".

PICTURES, MOVING.

See "Moving Pictures".

PICTURES, TRAVELING, MOVING, TRAVELING THEATRICAL, VAUDEVILLE, OR TRAVELING MINSTREL SHOWS.

Every person, firm or corporation, engaged in the business of a traveling theatrical, traveling moving picture, and/ or traveling vaudeville company, giving exhibitions or performances in any hall, tent, or other place not duly licensed as a theatre, moving picture or vaudeville house, for the privilege of engaging in such business, shall pay a license tax of $25.00 for each day or part of a day's exhibits or performances.

PROVIDED, that;

(a) Artists, exhibiting paintings or statuary work of their own hands, shall only pay----------$2.00

(b) Such places of amusement as do not charge more than a total of fifty cents for admission at the door, including reserved seats, and shall perform or exhibit continuously in any given place as much as one week, shall be required to pay $25.00 for the first day, and a total of $25.00 for the next succeeding five days or any part thereof, and $30.00 per week or any part thereof afterwards.

PROVIDED, however, where such amusement company holds an annual state-wide license, as provided under Section 103 of the 1935 Revenue Act, such company shall pay $20.00 per week or part of week.

Application for permit to exhibit must be made in the same manner as herein required of a circus, and no performance shall be given unless permit is granted.

PIPE OR CEMENT BLOCKS.

See "Cement Blocks".

PISTOLS.

Every person, firm or corporation who is engaged in the business of keeping in stock, selling and/or offering for sale any of the articles or commodities hereinafter enumerated, shall pay the following tax, per annum:

(a) For pistols----------$50.00

(b) For Bowie knives, dirks, daggers, sling-shots, loaded canes, iron or metallic knuckles, or articles of like kind----------$ 200.00

(c) Blank cartridge pistols----------$200.00

PROVIDED , however, that if such person, firm or corporation deals only in metallic cartridges, the tax shall be, per annum----------$10.00

PLANTS, BULBS AND EVERGREENS.

Every person, firm or corporation selling evergreens or plants shall pay a tax, per annum----------$25.00

PROVIDED, if person growing plants or evergreens in City or Buncombe County not operating a store or peddling on streets, no tax shall be collected.

PLUMBING CONTRACTORS.

See " Contractors".

PLUMBING SUPPLIES.

Every person, firm or corporation selling plumbing supplies, shall pay a license tax of, per annum (wholesale) ----------$100.00

PROVIDED, every person, firm or corporation selling plumbing supplies at retail, shall pay a license tax of, per annum----------$50.00

PROVIDED, however, where the above license is paid, then the contractor's license shall not be required.

POLES, CROSS-TIES, OR SIMILAR ARTICLES.

See "Buying and Shipping Of".

PONY AND DOG SHOWS.

See "Circuses".

POOLS ROOMS.

See "Billiards".

POULTRY AND/OR EGGS.

Every person, firm or corporation buying or selling poultry and/or eggs, at wholesale, shall pay a license of, per annum----------$30.00

POWER, GAS AND ELECTRIC LIGHT COMPANIES.

See "Electric Light Companies".

PRESSING CLUBS, DRY CLEANING PLANTS, AND HAT BLOCKERS.

Every person, firm or corporation engaged in the business of pressing and/or dry cleaning any article of clothing, re-shaping, cleaning and/or re-blocking any hats, shall pay a license tax of, per annum, as follows:

(a) Where not more than three persons are employed----------$10.00

(b) Where more than three persons persons and not more than six person are employed----------$25.00

(c) Where more than six persons are employed----------$40.00

For each cash and carry or call office where no cleaning and pressing is done ----------$ 5.00

PRINTED ADVERTISEMENTS, SIGN TACKING, ETC.

See "Advertising--Distributors of Samples".

PRINTING AGENTS.

See,"Agents, not Specifically Taxed".

PRINTING ESTABLISHMENTS.

Every person, firm or corporation operating a printing press, whether part time or not, or whether employing a helper or not, shall pay a license tax of, per annum----------$10.00

Without bindery, employing one workman, per annum----------$10.00
Without bindery, employing two workman, per annum---------- 15.00
Without bindery, employing more than two workman, per annum--------- 25.00
With bindery, per annum ---------- 30.00

PRODUCE AND FRUITS.

See "Fruits and Produce".

PROFESSIONAL ART--HEALING.

Exempt by State Statutes.

PROFESSIONAL LECTURES.

See "Lectures".

PUBLIC ANNOUNCEMENT OF ADVERTISEMENTS BY USE OF BRASS BANDS, ETC.

See "Advertising".

PUBLIC SERVICE AUTOMOBILES.

See "Motor Vehicles for Hire".

PUBLIC STENOGRAPHERS.

Every person, firm or corporation engaged in public stenographic work, shall pay a license tax, for each person so engaged, of per annum-------$2.50

"Q"

QUARRY, ROCK.

(a) On each rock quarry, a license tax shall be paid of, per annum----------$50.00

(b) Every person, firm or corporation, selling, hauling or delivering rock quarry products in the City of Asheville, not having paid the tax under sub-section (a), and not having a quarry within the City of Asheville, shall pay the following tax:

On each truck of two-ton capacity or less, per annum ----------$25.00
On each truck of more than two-ton capacity, per annum----------$50.00

QUEENSWARE AND CHINA.

See "China and Queensware".

"R"

RACKS FOR KNIVES OR CAMES.

See "Cane Racks".

RADIO INSTRUMENTS OR RADIO INSTRUMENT ACCESSORIES.

See "Organs, etc.

REAL ESTATE AUCTIONEERS.

See "Auctioneers".

RELIGIOUS ENTERTAINMENTS.

See "Charitable Entertainments".

REPAIR SHOPS.

Any repair shop operating in the City of Asheville, by whatsoever name called, not elsewhere specifically licensed or taxed in this ordinance, shall pay an annual license tax as follows:

Working one workman ----------$5.00
Working one or three workmen----------$10.00
Working three workmen or more ----------$15.00

REPAIR SHOPS--CABINET.

See "Cabinet Repair Shops".

REPAIR SHOPS--CARRIAGE.

See "Carriage Repair Shops".

REPAIRING OR MANUFACTURING OF HARNESS OR SHOES.

See "Harness or Shoe Repairers".

REPAIRERS OR TUNERS OF ORGANS OR PIANOS.

See "Organ Tuners".

RESTAURANTS, LUNCH ROOMS, HOTEL DINING ROOMS, OR DRUG STORES.

(a) Every person, firm or corporation engaged in the business of operating a restaurant, cafe, cafeteria, hotel with dining service on the European Plan, drug store, or other place where prepared food is sold, shall pay an annual license tax based on the number of persons provided for with chairs, stools, or benches, and shall be 50¢ per person, with a minimum tax of----------$2.50

(b) All other stands or places where prepared food is sold as a business, and drug stores, service stations, and other stands or places where prepared sandwiches only are served, shall pay an annual license tax of----------$3.75

RIDING DEVICES.

Every person, firm or corporation engaged in the operation of a bagatelle table, merry-go-round, flying jenny, ferris wheel, whip, tango swing, caterpillar, tumble-bug, hobby-horse, switchback railway, shooting gallery, skating rink, or other amusement devices of a like kind, or a place for other games or play with or without name (unless used solely and exclusively for private amusement and exercise), at a permanent licensed place, shall procure a special license for the privilege of operating such objects of amusements, and shall pay for each object enumerated the following tax, per annum----------$25.00

ROOMS OR HALLS USED AS THEATRES.

See "Halls".

ROOTS AND HERBS.

Every person, firm or corporation buying or selling roots, herbs, or other medicinal plants, shall pay a license tax of, per annum ----------$200.00

RUBBER STAMPS.

Every person, firm or corporation engaged in the exclusive business of manufacturing rubber stamps, stencils and seals, where 75 per cent of the business is derived from the manufacture of such articles, shall pay a license tax of, per annum---------- $25.00

SALVAGE DEALERS.

Every person, firm or corporation buying, selling and/or dealing in bankrupt stocks, factory job lots and second-hand materials of all kinds shall pay a license tax of, per annum----------$300.00

PROVIDED, where this license is paid all other license taxes levied by this ordinance on individual items shall not be collectible.

PROVIDED, where the above tax is paid other classifications shall not apply.

SAMPLE AND SIGN DISTRIBUTORS, ETC.

See "Advertising".

SAND DEALERS, AGENCIES, OR SALES OFFICES.

Per annum---------- $20.00

SANDWICHES.

Sandwiches, wholesale, per annum---------- $15.00

Sandwiches, retail, per annum ---------- 3.75

PEDDLING SANDWICHES PROHIBITED.

SCALE DEALERS.

Each dealer in, or agent for, shall pay a license tax of, per annum---$25.00

SECOND-HAND AUTOMOBILE EQUIPMENT.

See "Automobile Equipment--Used Parts".

SECOND-HAND CLOTHING.

See "Clothing--Second hand".

SECURITY DEALERS.

(a) Every person, firm or corporation who or whch is engaged in the business of dealing in securities as ddfined in Section 132 of the 1935 Revenue Act, or who or which maintains a place for or angages in the business of buying and or/selling shares of stock in any corporation, bonds or any other securities on commission or brokerage, shall pay for the privilege of transacting such business, a license tax of, per annum----------$50.00

(b) PROVIDED, every dealer as defined herein, other than banks or trust companies, shall pay a license tax for the privilege ot transacting such business at each office.

(c) If every such peraon, firm or corporation described in sub-section (a) hereof maintains and/or operates a leased or private wire and/or ticker service in connection with such business, the annual license tax on the private wire or ticker service shall be ----------$50.00

SEED STORES.

Every person, firm or corporation operating seed stores or shop selling or distributing any seeds, plants, bulbs, or roots, Christmas trees, insecticides, gold fish, baby chicks, Canary birds, or other pets, dog supplies shall pay a license tax of, per annum----------$50.00

SEEDS, PACKAGE OR BULK.

Every person, firm or corporation or their agents selling, delivering or distributing seed, shall pay a license tax of each, per annum---------$25.00

SEWERS, GRADING, PAVING, SIDEWALKS, OR STORM SEWERS.

See "Contractors".

SEWER PIPE.

Every person, firm or corporation selling sewer pipe shall pay a license tax of, per annum ----------$50.00

No tax collected hereunder where building material tax is collected or where electrical contractor, plumber, steam and gas fitter tax is collected.

See "Electrical Contractors", etc.

SEWING MACHINE AGENTS.

Exempt by State Statues.

SHIPPING AND BUYING TELEPHONE POLES, CROSS-TIES. LOGS OR SIMILAR ARTICLES.

See "Buying and Shipping of".

SHOE OR HARNESS MANUFACTURERS OR REPAIRS.

See "Harness Manufacturers".

SHOE SHINE PARLORS.

See "Bootblack Stands".

SHOE MERCHANTS.

Every person, firm or corporation selling shoes at retail, shall pay the following graduated licenx tax based on the annual gross receipts:

Less than $2,000 annually ----------	$ 5.00
2,000 and less than 5,000 ----------	10.00
5,000 and less than 10,000 ----------	15.00
10,000 and less than 15,000 ----------	20.00
15,000 and less than 25,000 ----------	25.00
25,000 and less than 35,000 ----------	30.00
35,000 and less than 50,000 ----------	40.00
50,000 and less than 75,000 ----------	50.00
75,000 and over ----------	75.00

SIDEWALKS , GRADING, PAVING, SEWERS, OR STORM SEWERS.

See "Contractors".

SIGN PAINTING.

On any sign painting contractor not employing any workman, each, per annum---------- $10.00

On any sign painting contractors employing two workman or less---------- 15.00

Two or four workmen ----------	20.00
Four to six workmen ----------	25.00
Six or more workmen ----------	30.00
Itinerant sign painters, per annum ----------	100.00

SIGN TACKING, PRINTED ADVERTISEMENTS, ETC.

See "Advertisements".

SILVER PLATING.

Every person, firm or corporation engaged in the business of silver plating, shall pay a license tax of, per annum ----------$25.00

SKATING RINKS.

See "Riding Devices".

SLEIGHT OF HAND EXHIBITIONS.

Prohibited.

SLING SHOTS.

See "Bowie Knives".

SLOT MACHINES.

See "Machine, Slot".

SODA FOUNTAIN SUPPLIES.

Every person, firm or corporation selling or distributing fruits, syrups, or other supplies used at a soda fountain, where fifty per cent of the gross sales or stock of merchandise carried consists of fruit, syrups, or other supplies used at a soda fountain, shall pay a license tax of, per annum ----------$50.00

SODA FOUNTAINS.

See "Fountains, Soda.

SOFT DRINKS--SALE OF.

On each person, firm or corporation selling bottled soft drinks, a license tax shall be paid of, per annum ---------- 2.50

SOFT DRINKS--ITINERANT SELLING

See "Balloons".

Soft Drinks.

See "Drinks, also "Bottling Companies".

SOUVENIR SHOPS.

See "Gift and Souvenir Shops".

SOUVENIRS--ITINERANT SELLING.

See "Balloons".

SPRINKLER SYSTEMS.

See "Elevators".

SPICES AND FLAVORING EXTRACTS.

See "Goods, Wares, and Merchandise".

STABLES, LIVERY.

See "Livery Stables".

STAMPS, RUBBER.

See "Rubber Stamps".

STANDS, BOOTBLACK.

See "Boot Black Stands".

STANDS, FRUIT.

See "Fruit Stands".

STANDS, LEMONADE--PUBLIC OCCASIONS.

See "Lemonade Stands".

STAR COURSES.

See "Chautauquas"

STATIONS, GASOLINE OR AUTO CLEANING.

See "Automobile Service Stations".

STEAM SHOVELS.

On each and every steam, gas, or motor driven shovel operated in the City of Asheville, a license tax shall be paid of per annum ----------$25.00

NOT PRORATED.

STEAM AND GAS FITTERS

See "Electrical Contractors", etd

STENOGRAPHERS, PUBLIC.

See "Public Stenographers".

STOCK BROKERS.

See "Brokers, Stock".

STOCK YARDS OR PENS.

Every person, firm or corporation operating or maintaining a yard or pen where live stock is loaded, unloaded, fed or watered, shall pay on each yard or pen, a license tax of, per annum----------$250.00

PROVIDED, that any person, firm or corporation conducting a live stock exchange or market, or engaging in the business of purchasing and re-selling live stock at auction or otherwise and/or receiving and shipping live stock, shall pay, on each yard, a license tax of, per annum ---------- 75.00

PROVIDED, further that the provisions of this tax shall not be collected from packing houses, operating or maintaining a stock yard or pen, who have paid the prescribed tax on packing houses.

STOCK AND MERCHANDISE BROKERS.

See "Brokers, Merchandise and Stock".

STORAGE OR TRANSFER WAREHOUSES.

Where a charge is made for storage service, other than cold storage, a license tax shall be paid of, per annum ----------$ 50.00

STORM SEWERS, GRADING, PAVING, SIDEWALKS AND SEWERS.

See "Contractors".

STOVES, RANGES--INSTALLATION.

Every person, firm or corporation selling or offering for sale stoves, ranges, gas or other water heaters, where same is connected with the water system of the City of Asheville, shall pay a license tax of, per annum ----------$ 20.00

It shall be unlawful for any person, firm, or corporation to install ranges, stoves, gas or other water heater where the same is connected with the water system of the City of Asheville, unless such installation is made by a licensed plumber under the provisions of the plumbing ordinance.

SUGAR.

See "Tea, Coffee and Sugar".

SUPPLIES FOR TYPEWRITER MACHINE.

Agents or dealers in supplies for typewriter machines, shall pay a license tax of, per annum ----------$ 25.00

SURGEONS--VETERINARY.

Exempt by State Statutes.

SWITCHBACK, RAILROADS OR ROLLER COASTERS.

See "Riding Devices".

SYRUP, TABLE.

Every person, firm or corporation manufacturing table syrup, shall pay as a license tax of, per annum:---

Where employing one person ----------$ 10.00
Where employing two persons ----------$ 15.00
Where employing more than two persons ----------$ 25.00

"T"

TAILORS, MERCHANTS

See "Merchants, Tailors".

TALKING MACHINES.

See "Organs, Pianos and Phonographs".

TANNERIES.

Each, per annum ---------- $150.00

TEA, COFFEE AND SUGAR.

Every person, firm or corporation engaged in the business of selling tea, coffee and sugar, where 50% of the business is derived from the sale of tea, coffee and sugar, shall pay a license tax of, per annum -----$ 25.00

TELEGRAPH COMPANIES.

Every person, firm or corporation, domestic or foreign, engaged in operating the apparatus necessary to communication by telegraph within the corporate limits of the City of Asheville, shall pay a license tax of, per annum ----------$ 50.00

TELEPHONE ADVERTISING.

Every person, firm or corporation selling advertising space in telephone directories, shall pay a license tax of, per annum----------$100.00

TELEPHONE COMPANIES.

Every person, firm or corporation, domestic or foreign, engaged in operating the apparatus necessary to communication by telephone within the corporate limits of the City of Asheville, shall pay an annual license tax of 1.44% of its gross receipts, payable semi-annually, for such business as of December 1st, and May 31st, of each tax year.

TEMPORARY STORES.

Every person, firm or corporation engaged in operating a temporary store as defined in Ordinance 183 within the City of Asheville shall make a deposit as an occupational tax to said City of Asheville for the use and benefit of said city in the sum of $200.00 in cash, and shall pay the regular license tax under individual classifications. In lieu of the $200.00 cash deposit any such person shall be required to furnish a bond, subject to the approval of the Legal Department, in the sum of $200.00 payable to the City of Asheville.

PROVIDED, however, that said store remains open and operating for a period of twelve months within the corporate limits of the City of Asheville; and then and in that event the $200.00 deposited as an occupational tax shall be refunded by the Tax Collector of the City of Asheville.

A temporary store shall be classed as under Section 2 of Ordinance 183 of the City of Asheville, except that same in hereby changed from One Hundred Eighty (180) days to twelve months period.

TENTS AND AWNINGS.

See "Awnings".

THEATRES.

On each room or hall used as a theatre or opera house, other than moving picture theatres, where public exhibition or performances are given for profit, shall be paid a license tax of, per annum ----------$212.50

No additional tax may be charged for fortune tellers, clairvoyants and similar crafts appearing under contract in theatres.

NOT PRORATED.

THEATRICAL COMPANIES, MOVING PICTURES OR TRAVELING VAUDEVILLE.

See "Traveling Moving Pictures".

THEATRACIAL EXHIBITIONS.

See "Exhibitions, Entertainments, also Pictures".

TILE SETTERS.

Every person, firm or corporation engaged in the business of setting tile, shall pay a license tax of, per annum ----------$ 10.00

TIN SHOPS OR STREET METAL WORKING ESTABLISHMENTS.

See "Contractors and Construction Companies".

TIRE DEALERS.

See "Automobile Service Stations".

TITLE INSURANCE

Every person, firm or corporation engaged in the business of guaranteeing or insuring titles, shall pay a license tax of, per annum ---$25.00

TOBACCO, CIGARETTES, ETC.

See "Cigars, Cigarettes", etc.

TOBACCO WAREHOUSES.

Every person, firm or corporation engaged in the business of operating a warehouse for the sale of leaf tobacco upon commission and occupying a floor space of more than fifteen thousand square feet, shall pay a license tax of, per annum, for each warehouse ----------$50.00

With less than fifteen thousand square feet of floor space per annum, each warehouse ----------$25.00

NOT PRORATED.

TOILET ARTICLES.

See "Perfumes", etc.

TOILET ARTICLES--PEDDLERS OF.

See "Goods, Wares and Merchandise".

TOMBSTONES AND MARBLE DEALERS.

See "Monuments".

TOURIST CAMPS.

See "Boarding Houses".

TOYS.

Every person, firm or corporation selling or distributing toys, shall pay a license tax of, per annum ----------$ 5.00

TRADE SHOPS.

See "Printing Establishments".

TRADING STAMPS, DEVICES, ETC.

See "Devices".

TRANSFER COMPANIES

See "Drays".

TRANSFER AND STORAGE WAREHOUSES.

See "Storage Warehouse".

TRAVEL BUREAUS OR AGENCIES.

Every person, firm or corporation engaged in the business of conducting a travel or transportation or agency, shall pay an annual license tax of ----------$10.00

PROVIDED, this shall not apply to any agency of a charitable organization maintained not for profit.

TRAVELING CIRCUSES

See "Circuses".

TRAVELING THEATRICAL OR MOVING PICTURE COMPANIES.

See "Pictures, Traveling"

TUNING OR REPAIRING ORGANS AND PIANOS.

See "Organs and Piano Tuners"

"U"

UNDERTAKERS.

See "Caskets and Coffins".

UMBRELLA REPAIRERS.

Every person engaged in the business of repairer of umbrellas, shall pay a license tax of as follows:

If not more than one person is employed, per annum ----------$ 5.00

If more than one person is employed, per annum ---------- 10.00

UPHOLSTERING.

Every person, firm or corporation engaged in the business of upholstering or repairing furniture, shall pay a license tax of, per annum ----------$15.00

PROVIDED, this tax shall not be collected from persons, firms or corporations paying a tax on furniture stores.

USED PARTS--AUTOMOBILE EQUIPMENT.

See "Automobile Equipment, Used Parts".

"V"

VAUDEVILLE COMPANIES, TRAVELING THEATRICAL COMPANIES, ETC.

See "Moving Pictures, also "Pictures".

VEHICLES OR WAGONS--ADVERTISING WITH.

See "Advertising".

VETERINARY SURGEONS.

Exempt by State Statutes

VICTROLAS AND GRAPHOPHONES.

See "Organs, Phonographs", etc.

VULCANIZING.

See "Automotive Service".

"W"

WAGONS OR VEHICLES DRIVEN THROUGH STREET WITH ADVERTISING SIGNS.

See "Advertising".

WALKING ABOUT STREETS DISPLAYING SIGNS.

Each and every person, firm or corporation delegating someone to walk about the streets and display, for the purpose of advertising, a sign or signs, shall pay a license tax of per day ----------$ 2.00

Per week ---------- 5.00

WASHING MACHINES.

Exempt by State Statutes.

WATERMELONS--SLICED OR CUT.

On each and every person, firm or corporation selling or offering for sale, sliced or cut watermelon, shall be paid a license tax of, per annum ----------$10.00

NOT PRORATED.

The foregoing tax shall not be collected from restaurants or drug stores who have paid the prescribed tax, and all sales shall be subject to ordinances applicable to food handling establishments.

WEIGHING MACHINES.

See "Machines, Slot".

WELDING SHOPS.

Every person, firm or corporation who makes repairs on anything by welding, shall pay a license tax of, per annum ----------$25.00

WIENER STANDS, HOT-DOGS, AND WEINNIES.

See "Restaurants".

WILD WEST SHOWS.

See "Circuses".

WINDOW CLEANERS.

Every person, firm or corporation, engaged in the business of washing windows, cleaning floors, or general housecleaning, shall pay a license tax of, per annum:

Where employing one person ----------$10.00
Where employing two persons ---------- 20.00
Where employing more than two persons ---------- 30.00

WOOD, KINDLING--CHEMICAL.

(a) Every person, firm or corporation selling wood for fuel purposes, shall pay a license tax of, per annum ----------$ 5.00

(b) Every person, firm or corporation, selling chemical kindling, shall pay a license tax of, per annum ---------- 50.00

WOOD YARDS.

Saw operated by power, per annum ----------$ 25.00
Saw operated by hand, per annum ---------- 5.00

WOOLEN MILLS.

Every person, firm or corporation operating a mill manufacturind woolen cloth, shall pay a license tax of, per annum ----------$100.00

WRESTLING AND BOXING.

See "Games".

"Y"

YEAST.

Every person, firm or corporation selling or distributing yeast at wholesale, shall pay a license tax of, per annum ----------$150.00

"MISCELLANEOUS"

ALL BUSINESSES, TRADES, PROFESSIONS, GAMES, DEVICES, OR OTHER UNDERTAKINGS PROSECUTED FOR PROFIT, OR GAIN, NOT TAXED HEREIN.

Per annum	$ 25.00
Per quarter	15.00
Per month	10.00
Per day	3.00

Section 17

Any person who shall willfully make any false statement in an application for license under any section of this ordinance or schedule, shall, upon conviction, be liable for a penalty of fifty (50.00) dollars.

Section 18

That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed; provided, that such repeal shall in no way affect any rights heretofore acquired for the collection of any tax heretofore levied or assessed, or the validity of any sales for taxes heretofore made, or any right heretofore acquired under any ordinance of this city.

I move the adoption of the foregoing ordinance, this 28th day of May, 1936.

(Signed) J. C. Vance
COUNCILMAN

SECONDED BY: Robert E. Shuford
COUNCILMAN

Read, approved, and adopted by the Council on first reading 28th. day of May, 1936 with all members of the Council voting "aye"; read, approved and adopted by the Council on the second reading, 4th. day of June, 1936, with all members of the Council present voting "aye"; and upon its third reading approved and adopted on 18th.day of June, 1936, with all members of the Council present voting "aye". This ordinance shall become effective 13th day of July, 1936.

D. M. Wells
MAYOR

Glenn Morris
CITY CLERK

APPROVED AS TO FORM:

CORPORATION COUNSEL

(1643) June 23, 1936

June 13 1936

[illegible] who operates a home laundry to [illegible] minimum of [illegible] on [illegible] of laundry [illegible] reduced

[illegible] who [illegible] shop and [illegible] them to [illegible] who caused [illegible] him to operate without [illegible] and that [illegible] these two matters be referred to the City Manager for investigation.

[illegible] requested the Council to [illegible] street light in the [illegible] Overton Park [illegible] Asheville. On motion of Councilman [illegible] seconded by [illegible] this matter was referred to the City Manager.

Resolution authorizing the Mayor of the City of Asheville to execute and deliver deed conveying to [illegible] for the Asheville-Hendersonville [illegible] on motion of Councilman [illegible] seconded by Councilman [illegible] unanimously carried.

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE AND DELIVER DEED FOR CERTAIN LAND TO C. J. ROBERTS

WHEREAS, pursuant to a resolution duly passed by the City Council of the City of Asheville on January 28, 1936, the following described lots, tracts or parcels of land were duly advertised for sale at public auction on the 11th day of February, 1936, and for thirty days thereafter, and in all respects as required by law; and

WHEREAS, after a thirty days notice of said sale, said lots were sold at the front door of the County Court House in the City of Asheville, County, State of North Carolina, at twelve o'clock, noon, on Monday, the 16th day of March, A.D., 1936, at public outcry, to C. J. Roberts, the highest bidder for said lots, for each, for the sum of Fifteen Thousand, Five Hundred ($15,500.00) Dollars; and

WHEREAS, more than twenty days have elapsed and no [illegible] has been filed or made; and

WHEREAS, the said C. J. Roberts has paid to the City of Asheville the sum of $1,500.00 as earnest money on option for said properties, and has complied in all respects with the terms of said sale;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the said City of Asheville be, and he is hereby [illegible] and directed to execute a deed in fee simple conveying said properties to the said C. J. Roberts in fee simple, in the name and for and on behalf of the City of Asheville, a municipal corporation; and that the said Mayor of the City of Asheville be, and he hereby is, authorized to deliver said deed to the said C. J. Roberts.

I move the adoption of the foregoing resolution.

Robert E. Shuford
Councilman

SECONDED BY: Walter Bryson
Councilman

Read [illegible] moved and adopted, this the 13th day of June, 19[illegible].

D. M. Wells
Mayor

Glenn Morris
City Clerk

APPROVED AS TO FORM:
Philip C. Cooke, Jr.
ASST. CORPORATION COUNSEL.

...seconded by Councilman Wyne...
...to sell to...

RESOLUTION

...the City of Asheville has sold to M. J. Pelham...
...Illinois Cent; and

...building 4 three feet south of the...
...and

...the City of Asheville to deliver...
...the said building and the existing sidewalk...

...BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY...

...the terms of said $1.85 Dollar City at he and the...
...sidewalk owners c.

...the foregoing resolution.

...Wayne Copland
Councilman

...I. C. Wynne
Councilman

...this the 13th day of June, 1926.

R. M. Wells
Mayor

Glenn Mannis
City Clerk

...the Mayor to execute quit-claim deeds to former owners...
...City of Asheville by tax foreclosure suit, was upon motion...
...seconded by Councilman Wynne, unanimously adopted.

...RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEEDS...
...OWNERS OF PROPERTY SOLD TO THE CITY OF...
...BY TAX FORECLOSURE SUIT.

...to the City Council of the City of Asheville...
...property was sold by the City of Asheville, sold...
...the City of Asheville by tax foreclosure suit for delin...
...in 1923; and

...of said sale appeared once a week for four success...
...time & newspaper, after which the sale was conducted...
...bids and bid in as follows:

	LOTS	SHEETS	WARDS	REMARKS
...Brown & Wo...	20	17	6	Bid in by owner
...Tago				
...Thomas & ...	28	11	6	Bid in by owner

...that the above property was bid in at the sale...
...of obtaining deeds from the City of Asheville;

...proof from a recent of the tax collector that the ab...
...the said for taxes;

...BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF...

...City of Asheville be and he is hereb...
...quit-claim deeds to the property listed above,...
...names as shown above, who were the highest bidders...
...be turned over to the Tax Collector of the City of...
...same to the bidders upon payment of the taxes above...

...June 13, 1926.

...with regard to the matter of the Pelham property...
...Illinois Central Railroad Company for the purpose of...
...City of Asheville

...Resolution of the Pelham property resolution

...Wynne
Councilman

...Wells
Mayor

...Mannis
City Clerk

...APPROVED AS TO FORM:
...City Attorney

...Councilman Wynne moved the adoption of the following...

...WHEREAS, the City Council is about to convey to the Illinois...
...certain property of the City of Asheville for the purpose of...
...the Illinois Central Railroad Company a right of way...
...across the property of the City of Asheville known as the...
...Asheville Incinerator property; and

...WHEREAS, the Illinois Central Railroad Company has agreed...
...to pay the City of Asheville the sum of $1,000.00 for the...
...right of way; and

...WHEREAS, the following are all the unpaid tax sale certificates...
...held by the City of Asheville:

Certificates	Listed Owners	Lots	Sheets	Wards	Map Book & Page
1926 (1924 & 1923)	...C. Cathey et al	112	12	...	...
	...Annie B.				
	...Brown & Co.				
	...Co.	57-58 & 102	6	...	...

...NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY...
...ASHEVILLE:

...That the Mayor of the City of Asheville is hereby...
...and directed to execute quit-claim deeds to the Illinois...
...Central Railroad Company for the property described in the...
...City of Asheville as will deliver to the grantee a right...
...1926 and upon such terms, together with interest and costs...
...and the liens of the taxes from time to time upon the...
...property to the City of Asheville.

...Councilman Wynne moved the adoption of the foregoing resolution...
...and the motion was seconded by Councilman Wells and unanimously...
...carried.

...This the 13th day of June, 1926.

...Wynne
Councilman

...Wells
Mayor

...Mannis
City Clerk

...APPROVED AS TO FORM:
...City Attorney

...ting Auction Sales of Jewelry, ...ville" was upon motion of Councilman ... unanimously passed upon the first reading.

...the resolution of sympathy on the death of ... Officials, were read at the meeting upon ...

...seconded by Councilman Bryson, committee ..., and Councilman Vance, were appointed ... Wells, mother of Mayor Wells.

R. M. Wells
Mayor

Glenn Morris
CITY CLERK

Monday, June 25, 1928 --:30 P. M.

... in Council Session, Mayor Wells presiding. Present: ... Mr. Robert ... Buford, J. C. Vance, ... Mr. ... Bowen, City Manager, A. Hall Johnston, Corporation Counsel. Minutes of the ... meeting were approved.

... Section "CC" Coal and Coke Dealers, and Section "L" Laundries of the Revenue ... were taken up for final passage. Upon motion of Councilman Bryson, seconded by Councilman Bryson Section "C" Coal and Coke ... reading in the following words and figures:

... person, firm, or corporation, either as agent or ... in and conducting the business of selling coal or coke ... quantities, shall be deemed a wholesale dealer ... per annum ---------- $25.00

... wholesale dealer shall also sell coal or coke, ... shall not be subject to the retailers' ... subsection (b) hereof.

... person, firm or corporation, either as agent ... in and conducting the business of selling or ... coke in ... within the corporate limits of the City ... is not by according to the volume of ...

... per year ---------- $25.00
... to 150 tons per year ---------- 50.00
... per year ---------- 75.00

... person, firm or corporation having only ... two tons of coal to be kept on hand at any ... per annum ---------- 10.00

... Section "L" ... and final reading in the following words and figures:

... firm or corporation engaged in the business of oper- ... and/or ... laundries, where steam, ... used, shall pay a license tax of, per annum--$50

... laundry or other concern doing a gross volume ... $100.00 per month, shall pay a license tax of, ... $25

... that any laundry not employing in excess of three ... license tax of, per annum ---------- $25

June 25, 1928.

...PROVIDED, ... that the motion shall not ... to which ... concern.

...LAI"

Resolution authorizing the Mayor to execute quit-claim ... Councilman Vance, seconded by Councilman Cleland, unanimously ...

... the City Council to sell for ... 1927 and 1928; and

... the Council ... that the ... not ... will; and

... Section ... of said tax ... petitioned March 21, 1928 ... owned ... the ... amounts ... out ... crimes; and

... the following ... to ...

DESCRIPTION	ITEMED OWNERS	LOTS	SECTION	...	WERE TAXES DUE
221 / (1928)	W. H. Bushnell	...	...	...	Board of Equalization Control
1702 ✓	M. A. Collins + ... Nannie M. ...	114-116 ... 120-121 ...	21	F	Board of Equalization Control
1814,1900 (1928-1927	E. J. Criscott ... wife Mrs. A. C. Brandt	52,53	21	F	Board of Equalization Control
0252 /	T. M. Bledsoe + ... Wende	20	22	F	Board of Equalization Control
1500, 1527	Chevalier Court	221	12	F	Board of Equalization Control
7028 ✓	Haiman, Heasman	17,18 ... 19	21	F	Board of Equalization Control
1530 ✓	I. C. Anderson Estate Lee ... Anderson	98 to 102 ... 160 to 131 ... 195 to 201 ... in the ... part of Lot No. 3, Sheet 21, Ward 5	25	F	Board of Equalization Control
7011 ✓ (1928) (1927)	Mrs. E.E.D. Zeigler	72 and 73	15	F	E. E. Zeigler

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute quit-claim deeds to the property listed above, as above set out, which deeds are to be turned over to the Tax Collector of the City of Asheville who will deliver the same to the bidders upon payment of the 1926, 1927, 1928 and prior year taxes, together with interest and costs as ... set out, and the listing of the property for taxes for the period in which the title was vested in the City of Asheville.

I move the adoption of the foregoing resolution.

J. C. Vance
Councilman

Seconded by: Eugene Cleland
Councilman

Read, approved and adopted, this 25th day of June, 1928.

R. M. Wells
Mayor

APPROVED AS TO FORM:
A. Hall Johnston
Corporation Counsel.

Glenn Morris
City Clerk

TEMPORARY BUDGET FOR JULY

Resolution authorizing the City Manager to request the Board of Financial Control for a temporary budget for the month of July, 1936, was upon motion of Councilman Carland, seconded by Councilman Bryson, unanimously adopted.

ORDINANCE NO. 239

Ordinance No. 239, entitled "Ordinance regulating Auction Sales of Jewelry, Silverware, China or Glassware in the City of Asheville" was presented by the City Manager on its second reading. A petition was read from several operators of jewelry stores opposing the passage of this ordinance, and upon motion of Councilmen Bryson, seconded by Councilman Divelbiss, the ordinance was ordered held in abeyance until next meeting of the Council. J. M. Horner, Jr., spoke in favor of the ordinance, representing certain clients.

RESOLUTION DEATH OF MRS. ANGIE B. WELLS

Resolution regretting the death of Mrs. Angie B. Wells, and expressing sympathy to the Wells family, was upon motion of Councilman Carland, seconded by Councilman Vance, unanimously adopted. This resolution was read by Vice-Mayor Bryson.

RESOLUTION REGRETTING THE DEATH OF MRS. ANGIE B. WELLS AND EXPRESSING SYMPATHY TO THE WELLS FAMILY.

WHEREAS, on the 10th day of June, 1936, Mrs. Angie B. Wells passed at her home in Leicester; and

WHEREAS, being of the mature age of ninety-two she had lived in the community a life of untold service and sacrifice to her fellow-beings. She was a woman of splendid character, beloved by her neighbors, and a God-fearing woman, interested in the welfare and spiritual life of those who associated with her;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That such a life as lead by Angie B. Wells and such a tribute as was paid to her by the people of the community in which she resided at her funeral is a great tribute to one whose life was always lead in the Christian faith of her belief, and this Council is deeply sorrowful and expresses its sympathy to the Mayor of this city, a son of Mrs. Wells, and to the family of the deceased; and orders that a copy of this resolution be spread upon the minutes of the City of Asheville, and that a copy be sent to the family of the late Mrs. Wells.

I move the adoption of the foregoing resolution.

Eugene Carland
Councilman

Seconded by: J. C. Vance
Councilman

Read, approved and adopted, this 25th day of June, 1936.

Holmes Bryson
Vice-Mayor

Glenn Morris
City Clerk

APPROVED AS TO FORM:
A. Hall Johnston
CORPORATION COUNSEL.

RAY STEELMAN COMPLAINT

Henry Fisher, attorney, reported to the Council for Ray Steelman that the dirt road in the vicinity of his residence needed oiling. This was referred to the City Manager for investigation.

MAYOR WELLS--CITY AUDITORIUM

Mayor Wells gave a very interesting and inspiring report of a recent meeting that he attended at which the officials of the Chamber of Commerce gave of the Rhododendron Festival. He said, "You should know what they have been doing. I was so impressed that I have asked the committee to meet jointly with the Council so other members of the Council could obtain a summary of the results of the festival. He said the one incomplete part of the festival was the lack of an auditorium, and suggested concerted efforts on the part of the Council with the Chamber of Commerce and other civic organizations." Councilman Divelbiss, a member of the Auditorium Committee, said he realized the handicap experienced and said he would lend every effort toward obtaining one. Mr. Burdette, City Manager, stated that various plans for getting funds had been gone into, but he was still working on this as a major project for this year.

On motion, adjourned.

R. M. Wells
Mayor

Glenn Morris
City Clerk

State of North Carolina
Department of Archives and History
Raleigh

CERTIFICATE OF AUTHENTICITY

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It is further certified that the records listed on the aforesaid target sheet(s) were microfilmed in conformity with the provisions of Sections 8-45.1 - 8-45.4, General Statutes of North Carolina; and that in order to insure archival quality and authentic reproduction of records filmed, they were microfilmed in the manner prescribed, and with equipment and film approved, by the State Department of Archives and History.

(Signed) H. O. Stuart
Camera Operator

Date 7-9-73

NCDA&H

END

OF BOOK

NCDAAH

END

OF REEL